

SCRUTINY COMMITTEE - COMMUNITY

Date: Tuesday 9 September 2014

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Howard Bassett, Democratic Services Officer (Committees) on 01392 265107.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

Membership -

Councillors Shiel (Chair), Newby (Deputy Chair), Branston, Brimble, Bull, Clark, Foggin, George, Holland, Mitchell, Morris, Raybould and Robson

Agenda

Part I: Items suggested for discussion with the press and public present

1 Apologies

To receive apologies for absence from Committee members.

2 Minutes

To sign the minutes of the meeting held on 17 June 2014.

3 Declaration of Interests

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

To pass the following resolution:-

RESOLVED that, under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting for item 14 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act.

5 **Questions from the Public under Standing Order 19**

A period of up to 15 minutes will be set aside to deal with questions to the Committee from members of the public.

Details of questions should be notified to the Corporate Manager Democratic and Civic Support at least three working days prior to the meeting. Further information and a copy of the procedure are available from Democratic Services (Committees) (01392 265115) also on the Council web site.

<http://www.exeter.gov.uk/scrutinyquestions>

6 **Questions from Members of the Council under Standing Order 20**

To receive questions from Members of the Council to appropriate Portfolio Holders.

ITEM FOR EXECUTIVE

7 **Allotment Service Review**

To consider the report of the Assistant Director Public Realm.

(Pages 5 - 24)

PRESENTATION TO COMMITTEE

8 **Welfare Reform Update**

To consider the report of the Assistant Director Customer Access

(Pages 25 - 28)

ITEMS FOR DISCUSSION

9 **Housing Revenue Account - Budget monitoring to June 2014**

To consider the report of the Assistant Director Finance.

(Pages 29 - 44)

10 **Community - Budget Monitoring to June 2014**

To consider the report of the Assistant Director Finance.

(Pages 45

11 Local Air Quality Management Air Quality Action Plan 2011-2016 and 2014 Air Quality Progress Report

To consider the report of the Assistant Director Environment.

(Pages 55
- 58)

12 Review of the Contaminated Land Strategy

To consider the report of the Assistant Director Environment.

(Pages 59
- 84)

ITEMS FOR INFORMATION ONLY

13 Re-cycling Plan - Interim Review

To consider the report of the Assistant Director Environment.

(Pages 85
- 92)

Part II : Item suggested for discussion with the press and public excluded

ITEM FOR EXECUTIVE

14 Water Ingress to Council Housing Stock

To consider the report of the Assistant Director Housing.

(Pages 93
- 100)

Date of Next Meeting

The next scheduled meeting of the Scrutiny Committee - Community will be held on **Tuesday 11 November 2014** at 5.30 pm in the Civic Centre.

A statement of the executive decisions taken at this meeting will be produced and published on the Council website as soon as reasonably practicable.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on (01392) 265107 for further information.

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EXETER CITY COUNCIL

REPORT TO: SCRUTINY COMMUNITY- COMMITTEE
EXECUTIVE COMMITTEE

DATE OF MEETING: 9th SEPTEMBER 2014
16th SEPTEMBER 2014

REPORT OF: ASSISTANT DIRECTOR PUBLIC REALM

TITLE: ALLOTMENT SERVICE REVIEW

Is this a Key Decision?

Yes

One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.

Is this an Executive or Council Function?

Executive

1 What is the report about?

- 1.1 This report sets out the current position with regard to the Council's provision of Allotments and, in the light of consultation with service users, proposes a number of changes to the operation of the service and the rules governing lettings.
- 1.2 The report further presents options to Members for the devolved or shared management of the allotments sites.

2 Recommendations:

- 2.1 That the results of the consultation set out in **Appendix A** are noted and appreciation recorded to those that participated in the process.
- 2.2 That all new tenancies be restricted to those living within the city and for as long as they continue to do so.
- 2.3 That all new tenancies be restricted in size to a maximum of ten rods (approx 250 m²) per household.
- 2.4 That the payment arrangements for allotment rents are brought into line with the range of payment options available for other council services, subject to such arrangements complying with the statutory provisions relating to allotments.
- 2.5 That discounts applied to current tenancies remain for the duration of the individual tenancy and are not transferrable, and that no discounts are applied to new tenancies.
- 2.6 That changes are made to the service to reduce maintenance costs and bring the service into line with the projected budget for 2015/16 as set out in Section 9.
- 2.7 That greater service user participation is encouraged and that the authority to enter

into management agreements with duly elected Allotment Associations as laid out in **Appendix B** be delegated to the Assistant Director Public Realm in consultation with the Portfolio Holder for Environment, Health and Wellbeing.

- 2.8 That the changes in the Allotment Gardens Rules and Conditions set out in **Appendix C** are approved and that the Service Manager with overall responsibility for Allotments be delegated responsibility to interpret the Rules in the case of a dispute.
- 2.9 That the Allotment Gardens Rules and Conditions are issued from 1st October 2014 and thereafter reviewed annually and that authority to approve or amend the Rules is delegated to the Assistant Director Public Realm in consultation with the Council's Monitoring Officer and the Portfolio Holder for Environment, Health and Wellbeing.
- 2.10 That a rent free period of up to a year may be authorised by the Service Manager where a new tenant is willing to accept an untidy plot or where a tenant is prepared to be the single representative overseeing the allotment site on behalf of the council.

3 Reasons for the recommendation:

- 3.1 To provide a platform upon which to build the sustainable, affordable, long term future of allotments in the city.
- 3.2 To enable the greater active participation of service user groups in the direct management of their sites.

4 What are the resource implications including non financial resources.

- 4.1 These proposals will help the Council achieve the objective of reducing the costs of providing allotments in the city. Savings of £22,500 will be made during the coming year but these will not close the gap between income and expenditure and there will be a cost to the Council in the continued provision of the service.

5 Section 151 Officer comments:

- 5.1 No further comments

6 What are the legal aspects?

- 6.1 The provision and regulation of allotment land is controlled by statute. As such any new agreement or lease must comply with the requirements of this legislation, in particular the Smallholdings and Allotments Act 1908, the Allotments Act 1925 and the Allotments Act 1950.

7 Monitoring Officer's comments:

- 7.1 There are no issues arising from this report apart from the recommendation that Legal Services should agree the form of Management Agreements to be entered into with the Allotment Association, together with any resulting lease, and the rules and conditions governing the use of the allotment sites.

8 Background to the Review of the Allotment Service

- 8.1 The Council's Allotment service currently offers 68 acres (27.5 Ha) of allotment space as 1,549 individual allotments to 1,201 tenants. The average allotment size is

7 rods but individual plot sizes vary. Rental charges for 2013/14 were £5.50 per rod: an average rental cost of around £40 per plot. Rents will rise in September 2014 to £6.30 per rod. Around 30% of the allotment space is subject to rent discounts with 413 tenants aged 60 or over. However, internal records about the allotment service are poor and this data can only be used as an indication.

8.2 In June 2013, an internal audit report on the Council's Allotment Service was published. Several risk areas were highlighted and recommendations included:

- Reducing or removing the discounts for people over 60, under 18 and Leisure Card holders
- Ensuring tenants were not subsidised for the cost of providing water and considering the installation of water meters or charges for tenants' individual use
- Bringing the financial systems for rent payment and collection into line with the council's corporate payments and debtors systems
- Formalising all staff and services contract arrangements associated with the allotments
- Developing more robust systems for plot inspection and redress, including recharging former tenants for the costs of clearance
- Reviewing the Allotment Rules and Tenancy Agreement
- Improving internal data and systems
- Undertaking a feasibility study to encourage more of the Associations to take over the running of the allotments on the councils' behalf on a cost-neutral basis.

9 Consultation on changes to the Allotment Service

9.1 The findings of the Audit report, together with feedback from service users, prompted a review of the service as it was brought under new management in the restructured Public Realm directorate. The review was undertaken between November 2013 and May 2014 and options for the future of the allotment services were developed and consulted on in June.

9.2 The consultation presented a number of options around the fees and services that are offered to allotment holders, including fee increases, reducing administration services such as lettings, mediation and maintenance scheduling, reducing the level of grounds maintenance and removing water supplies. The objective was to determine how the level of subsidy for the allotment service, £43,260 in 2013/14, could be removed or reduced.

9.3 The consultation created some controversy amongst current allotment holders for a number of reasons. In response to this, the consultation period was extended by some four weeks and concluded on 4th August. Local Members, officers and the Portfolio Holder for Environment, Health and Wellbeing attended several meetings and site visits in response to requests from allotment holders.

9.4 A summary of the 178 consultation responses (15%) is attached at **Appendix A**. Surprisingly, given the extent of controversy during the consultation period, the results show that there is clear consensus on:

- Restricting new tenants to one ten rod plot
- Restricting the service to people living in the city only
- Not paying more to cover maintenance or to provide discounts to some service users

- Not removing water, with a significant majority of respondents happy to pay more for it
 - Reducing the level of services offered
 - Ending on-site rent collection
- 9.5 A significant majority of respondents also supported rent rises above inflation to cover the level of service they required.
- 9.6 However, opinion was divided relatively equally on whether maintenance services should be reduced, whether discounts should be removed and whether tenants wanted to become part of an Allotment Association.
- 9.7 Nationally, a survey by the Association for Public Service Excellence, revealed that allotments provided by local councils have the following characteristics:
- Most councils subsidise the allotment service, although this is reducing year on year
 - Most are managed through a combination of council and allotment association intervention
 - Most rents are between £21 and £50 per plot and costs are expected to rise above inflation to as much as £70 per plot from 2014/15.
 - 61% of councils offer discounts mainly to people over 60 but also people unemployed or on income support, people with disabilities and students.
 - Allotment provision is increasing, either through direct provision, or through planning gain or the voluntary sector.
 - Most councils offer the provision and ongoing maintenance of perimeter boundaries and paths etc
 - Most councils do not offer grounds maintenance other than perimeter boundaries and paths
 - Most councils offer mains water, although this is reducing year on year
 - 37% of councils intend to make their service cost neutral over the next two years
- 9.8 It is clear that many local Councils with responsibility for allotments are considering similar options to Exeter.

10 Proposed changes to the Allotment Service

- 10.1 Given that, in national comparisons, Exeter City Council's allotments are already on the expensive side, we are confident that efficiencies can be made to the service with limited impact on service users.
- 10.2 Already, as part of the new management arrangements since September 2013, the number and cost of staff responsible for the allotment service has reduced significantly. This has reduced service costs but has also dramatically reduced access by service users to the management elements of the service, such as mediation and maintenance scheduling, leading to some dissatisfaction.
- 10.3 Proposals for the future of the allotment service are as follows:
- **Tenancies:** In view of the demand for allotments, all future new tenancies will be restricted to those living within the city and for as long as they continue to do so. Current tenants will be able to enjoy their current plot, regardless of size and

succession between Partners only will be permitted. Any tenants moving from the city will be required to relinquish their plot at the end of the tenancy year. All new tenancies will be restricted to a maximum of ten rods per household.

- **Discounts:** Any discounts that are applied to current tenancies will remain for the duration of the individual tenancy. They will not be transferrable on succession. No discounts will be available for new tenancies.
- **Rents and payments:** Tenants will be offered the same range of payment options available for other council services from September 2015.
- **Water:** Mains water will continue to be offered.
- **Maintenance services:** Perimeter boundaries and principal paths only will continue to be maintained by the council. The council will continue to encourage volunteer grounds maintenance activities in the allotments.
- **Management services:** Feedback from service users is that they are dissatisfied with the service they receive in regard to their allotment. For example, allotment inspection has been inconsistent across the city and has resulted in plots becoming overgrown and thereby costly to recover. Moreover, during the consultation, many users were critical of the lack of an on-site presence. While improvements in the service response can be made the Council can no longer afford to provide an on-site presence for induction, routine inspection, trouble-shooting, initial compliance etc. In view of this, it is clear that if service users wish to see allotment services improve, they will need to become more involved with delivering them.

- 10.4 Tenant organisation at site level, independent of the council or, more likely, a shared management function is the most sustainable model for the future. We are eager to work with allotment associations and encourage a more partnership based approach to the management of the allotments. The provision of demand-led, on-site services such as induction, inspection, trouble-shooting, initial compliance with Allotment Rules and Conditions etc will need to be undertaken in the future by volunteer site representative groups. An active community association is best placed to undertake this front line role. Allotment plots could be offered rent-free to allotment holders willing to take on this responsibility. On those sites where there is currently no self organisation, tenants will be encouraged to engage in the process. A more robust shared management model would also enable untidy allotments to be identified, the reasons examined and, where someone has simply lost interest, the allotment taken back and re-let. If this strategic solution is not possible, the cost of staffing, reduced by 60% from 2013/14, will need to be factored back into the service cost calculation.
- 10.5 A shared management arrangement is not the only option for Allotment Associations, or similar. Indeed, there is no reason why they cannot take on a long lease of their allotment site/s, under the Council's developing Community Asset Transfer policy, and be completely self-managing and self-financing.
- 10.6 If greater service user participation is to be encouraged, the Council needs to grant authority to enter into agreements with Allotment Associations, as laid out in **Appendix B**. It is recommended that this authority be delegated to the Assistant Director Public Realm in consultation with the Portfolio Holder for Environment, Health and Wellbeing. The alternative to this is to seek Executive approval for each

arrangement which is a poor use of the Council's resources.

- 10.7 Changes are required to the Council's Allotment Gardens Rules and Conditions in order to implement these new arrangements. The revised Rules and Conditions are set out in **Appendix C** and, if approved, will come into force on 1 October 2014. Again, it is recommended that the authority to amend the Rules each year is delegated to the Assistant Director Public Realm in consultation with the Council's Monitoring Officer and the Portfolio Holder for Environment, Health and Wellbeing. The alternative to this is to seek Executive approval for each arrangement which is a poor use of the Council's resources. In addition, the Service Manager with overall responsibility for Allotments will be responsible for interpreting the Rules in any incidences of dispute.

11 Decommissioned and new allotments

- 11.1 With a waiting list of some 578, the Council is keen to meet the demand and maximise the number of allotments in the city. If groups are able to self-manage the sites, the council is prepared not only to transfer the lease on existing allotment sites but also to transfer new areas of land, subject to change of use etc, for conversion to new allotments.
- 11.2 Feedback from service users, particularly during consultation, was that the Council should tackle the number of plots that are in such poor condition that no-one is prepared to rent them. In response to this, it is proposed that a survey of the allotment stock is undertaken to establish remediation costs for decommissioned plots and that any surplus on the 2014/15 allotment budget, delivered as a result of the service changes described above, will be committed in full to the refurbishment of these plots. It is also proposed to offer allotments rent-free to a new tenant accepting an untidy plot for a period of up to a year. The cost of this, at a maximum of £63, is considered good value in comparison to employing contractors and may be attractive to new tenants.

12 Financial position

- 12.1 The current and projected financial position taking account the recommendations is set out in the following table:

Service element	2013/14 budget	Projected 2015/16 budget	% change
Income – 2014 rent rise of 14%*	-£41,000	-£46,740	14.00%
Management costs	£25,300	£10,390	-58.93%
Maintenance	£22,210	£11,210	-49.53%
Water	£11,110	£12,280	10.53%
Rent collection/invoicing	£10,700	£3,000	-71.96%
Central Support Recharges	£5,910	£7,650	29.44%
Other Costs	£9,030	£9,170	1.55%
Net cost of service	£43,260	£6,960	

*Agreed in September 2013

- 12.2 The removal of the discounts for new tenants, which cost in the region of £6,500 each year, will gradually increase rental income over a long period of time.

- 12.3 The 2015/16 figures set out above are estimated costs and are subject to change. Not all of the difference between the net cost of the service in 2013/14 and 2015/16 will accrue as savings to the council as the Allotment Manager has been redeployed to other duties. However, savings on maintenance and increased income will deliver an estimated £22,500 in real cost reductions to the council.

13 Conclusion

- 13.1 Consultation with our allotment holders proved to be a very useful exercise and this report takes account the feedback in its recommendations.
- 13.2 These proposals will achieve sufficient savings in the service and ensure compliance with the internal audit recommendations, whilst maintaining an element of subsidy for allotments without pressure for further rent rises above inflation in future years, as long as self management and volunteer maintenance is successful. A further review of the service will be undertaken in two years' time to assess the outcome of this proposed approach.

14 What risks are there and how can they be reduced?

- 14.1 Provided that any changes comply with the allotment legislation, in particular section 10 of the Allotments Act 1950, and the requirement to undertake an Equality Impact Assessment, then there are no perceived risks in supporting these recommendations.

15 What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

- 15.1 An Equalities Impact Assessment has been undertaken. No impact is identified in supporting the recommendations in this report.

16 Are there any other options?

- 16.1 Divesting the Allotments in their entirety to a third party
- 16.2 Further revenue investment in the service

SARAH WARD
Assistant Director Public Realm

Local Government (Access to Information) Act 1972 (as amended)
Background papers used in compiling this report:-

Allotments Exeter City Council Internal Audit June 2013

State of the Market Survey 2013 - Local Authority Allotment Services Association for Public Service Excellence Briefing 13/61 December 2013

Contact for enquires:
Democratic Services (Committees)
Room 2.3

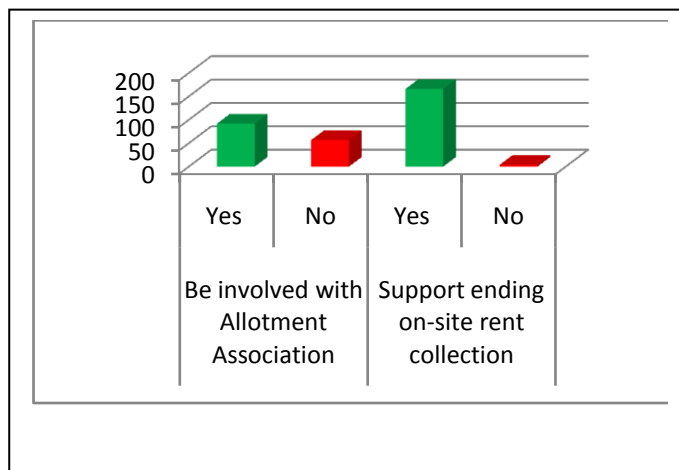
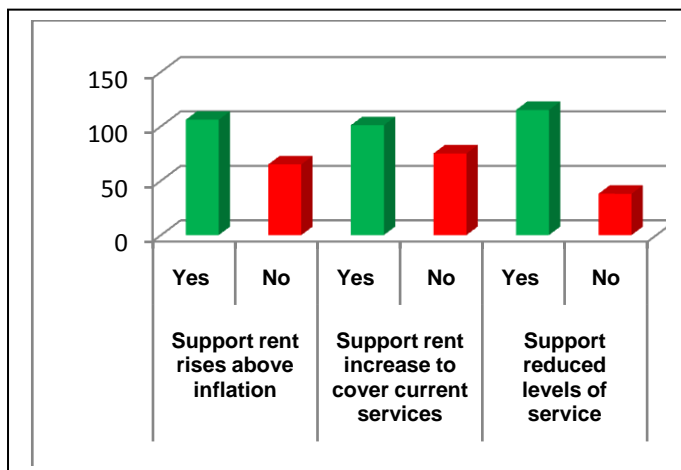
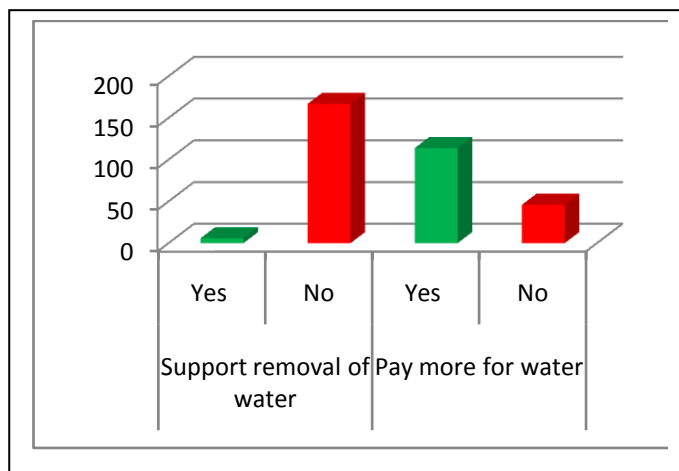
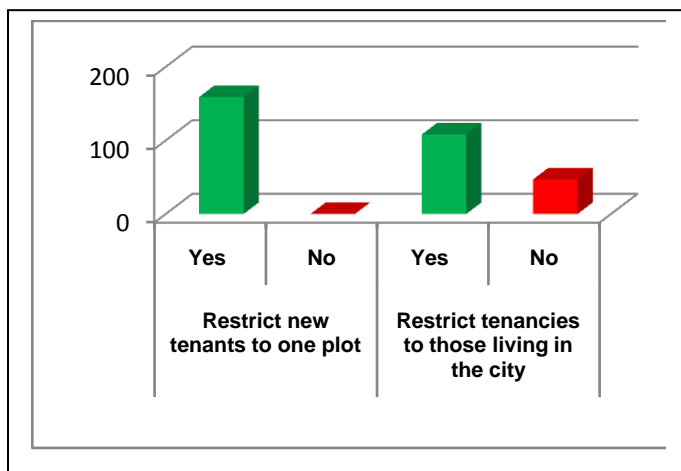
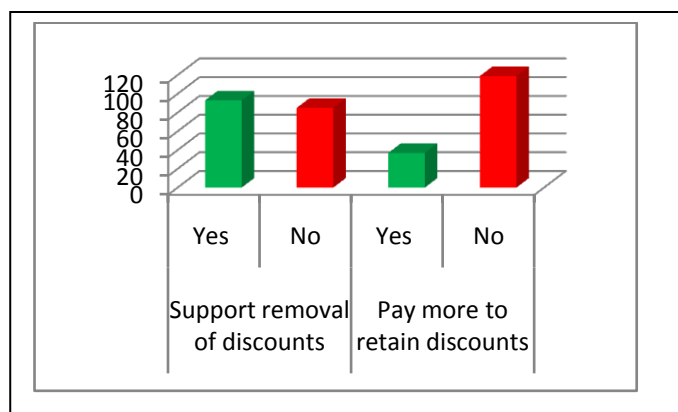
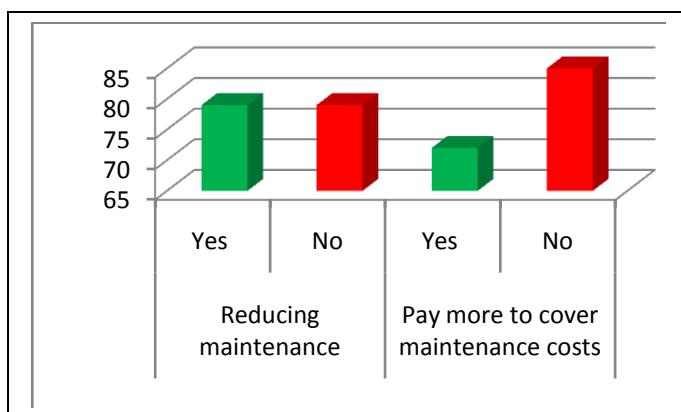
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Allotment consultation results.

There were one hundred and seventy eight responses to the allotments consultation some of which were grouped into the combined response from Associations. A number of Allotment Associations felt that the information we were able to provide was insufficient to form an opinion.

Some of the responses followed a distinct trend, most notably the questions regarding limiting new tenancies to a single allotment, retaining the provision of water and the ability to pay more flexibly. Many however demonstrated more diverse opinions with some interesting yet contradictory views being expressed. Some for example would be willing to pay more whilst others were vehemently opposed to any significant increase.

Generally the observations regarding the proposed rule changes were extremely useful and many were taken onboard. Consequently the rules (Appendix A) differ noticeably from the draft document made available for comment.



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Allotment Management Options

Self Management

- A properly constituted Association comprising of allotment holders may seek to manage their allotment site independently of the council's allotment service.
- The Council will remain as the landlord and the site be leased to the Association at a peppercorn rent for an agreed period.
- The Association will be responsible for the setting and collection of rents and the entire running costs and management of the site.
- No financial contribution will be made by the council for the duration of the lease.
- Association would be able to seek external funding.
- At the end of the agreement the site would return to the Council

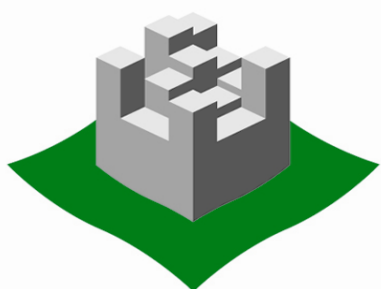
Shared Management

- A properly constituted Association comprising of allotment holders might seek to enter a joint management agreement with the Council.
- The provisions of the agreement will include a range of services such as water, rent collection, tenancy arbitration and formal action (letting and termination) in respect of individual occupancy that may be undertaken by the council or paid back to the association undertaking these responsibilities on the council's behalf.
- The benefit to the council will be a reduction in the overall cost of providing the service whilst the association would enjoy a greater sense of self determination and would receive a tangible benefit for its efforts.
- Shared management options would be flexible and a scheduled cost agreed based upon the operational costs across the entire service. The rent would remain consistent with that elsewhere in the city but the association would gain a proportional benefit depending upon their level of involvement.

The clear distinction between Self and Shared management is that the latter is tied into the provision of allotments as whole whereas the former desponds directly to the wishes of a very localised community.

Although the concept is not new, this application of these two options is new to the city and the benefits will depend very much upon the degree to which service users engage with the process.

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Exeter
City Council

ALLOTMENT GARDENS RULES & CONDITIONS: 2014

Introduction

- a) The City Council has the power to make rules in order to regulate and manage the letting and use of Individual allotments on its allotment sites.
- b) The Tenant is bound by the City Council's Rules and Conditions and by any relevant legislation being at the time in effect.
- c) Changes to these rules apply to all Council Allotment tenancies and the revised Rules replace those previously in force.
- d) These Rules apply in general to all the Council's allotment sites. Any specific variations will be notified to the Tenant to whom it applies.
- e) These Rules may be amended from time to time and a copy of these will be made available as defined under 'Notification'.
- f) Failure to comply with the Rules or conditions of tenancy will result in action being taken to terminate the tenancy.
- g) The Council accepts no responsibility for loss by accident, fire, theft or damage on any Allotment. Tenants are advised not to store any items of value on the allotment.
- h) Any costs incurred by the Council in undertaking works in default of a Notice or clearing away any material at the termination of the tenancy will be recharged to the Tenant.
- i) At the commencement of the tenancy the Tenant shall assume responsibility for all items on the Allotment.
- j) The Council reserves the right to alter, amend or suspend these rules in relation to a specific Tenancy.

Terms and Interpretation

In these Rules the words used are to have the following meaning:

Allotment: An Allotment Garden (as defined Allotment Act 1922) is an area of land that is let by the Council for the cultivation of vegetable crops, fruit, flowers and herbs.

Authorised officer: The Service Manager (Business & Commercial Operations) or an Officer of the Council delegated by them to perform the function.

Cultivation: Keeping the Allotment in good productive order or maintained in a manner acceptable to the Authorised Officer. The maintenance and improvement of soil, the control and prevention of flowering weeds and self set plants which may be a nuisance to other tenants, the production of ornamental plants, vegetable crops, fruit, flowers and herbs.

Notice: A formal direction to an individual Tenant served under the Conditions of their Tenancy (whether oral or in writing)

Notification: Any general information regarding the management of the Allotments which will be displayed as follows

- The City Council's web site
- By Notice affixed at the Entrance of the Allotment site
- By Notice available at the Council's offices

Paths: Dividing paths between Allotments.

Principal Path: A common route within the site for vehicular and pedestrian access to allotments.

Rent: The annual rent payable for the tenancy of an Allotment.

Site: Any area of Allotments that are grouped together.

Structure: A building, shed, greenhouse, shelter, hard standing, animal run or hutch or poly tunnel.

Tenancy agreement: A legally binding written document which together with the Rules and Conditions records the terms of letting of a particular allotment(s). The Tenancy confers rights, privileges and responsibilities to the Tenant over the Allotment and shared facilities of the site.

Tenant: A person that resides within the City boundary, who holds the Tenancy Agreement and is the primary user of an Allotment.

The Council: Exeter City Council.

Rules:

1. Assignment and Sub-letting

- The Tenancy of an Allotment is personal to the Tenant named on the agreement
- The Tenant may not assign or sublet all or part of their Allotment or structures thereon.
- The Tenant may share the use of the Allotment and or structures by agreement with the Authorised Officer.
- The tenant or their visitors may not enter onto or cross another Allotment without the express permission of the Tenant of that Allotment or in the case of a vacant Allotment, the Authorised Officer.

2. Cultivation and Weed Control

- The Allotment is let on the condition that it is maintained in a state of proper Cultivation and must be maintained in such a manner that 60% of the area is in a state of active Cultivation unless by agreement with the Authorised Officer.
- It is the Tenant's responsibility to keep the Allotment free of weeds & seeds that may cause a nuisance to adjoining Tenants.

3. Trees, Hedges and Invasive Plants

- The planting of trees on the Allotment (with effect from 1/10/2014) is restricted to those on dwarfing rootstocks.
- Tenants must not, without consent of the Authorised Officer, cut or prune any trees outside their own Allotment.
- Large or invasive plants including (but not confined to) bamboo, willow and forms of hazel may not be grown on the allotment.
- Tenants are responsible for maintaining any hedge or fence on their Allotment. Hedges abutting the Allotment should be trimmed so as not to obstruct pedestrian or vehicular access or restrict the use of adjoining Allotments.

4. Water storage and Ponds

- Ponds must be temporary and should not be constructed of concrete or any other hard landscape material. All ponds should be sited at least 2 metres distance from any Principal Path or path.
- The maximum surface area for a pond is 2.5 square metres and will be no deeper than 50cm deep. Ponds should be protected sufficiently to prevent potential accidents.
- Water storage containers must be suitable and deemed appropriate by the Council for the purpose.

5. Allotment Use and Storage

- Tenants must use their Allotment and any structures on it for their own personal use and must not carry out any business thereon or sell produce from it.
- The Tenant may use the Allotment only for those horticulture purposes that the Council deems appropriate.
- Only materials for use on the Allotment may be stored there, such as beanpoles, cloches, pots and netting for seasonal use.
- Storage of other items is not permitted.

6. **Water, Bonfires & Other Restrictions**

- Hosepipes or similar siphoning devices are not to be used to remove water from any water trough and Tenants must take every precaution to prevent contamination of the troughs or water supplies, e.g. tools and containers should not be rinsed in the troughs.
- The water supply to the site will be turned off between the 1st October and 1st April to avoid frost damage to pipes
- Bonfires are permitted only between 1 October and 31 March and only on Tuesday afternoons or the first Saturday afternoon of the month.
- Nuisance to neighbours must be avoided
- All bonfires must be extinguished by dusk
- No material other than that produced on the Allotment may be burnt.
- The use of accelerants is prohibited.
- Only dry vegetable material may be burnt.
- All potentially hazardous materials should be removed from the allotment site and disposed of at the relevant civic amenity site.
- Tenants may not remove soil or similar materials from the site.

7. **Waste Materials and Pollutants**

- Waste material, including green waste, may not be brought onto the Allotment site.
- Compostable material originating from the Allotment must be stored for use in a composter or purpose built enclosure.
- The use of concrete for shed bases, glass houses or for paving, or any solid brick and cement structures is not permitted. (dry laid concrete slabs are permitted)
- The Tenant must not allow any decaying matter to remain on the Allotment Garden which may cause a nuisance or annoyance.

8. **Structures Paths and Fences**

- 8.1
- **The written permission of the Council is required before any structure may be placed on an Allotment.**
 - Any structure on the Allotment must be temporary and must be maintained in safe condition.
 - Structures shall be made from non hazardous materials and shall be in keeping with the general environment. The use of tyres and similar materials is not permitted.
 - If the Council is not satisfied with the condition of the structure the Tenant must either repair it to the Council's satisfaction or remove the structure within one month of an instruction to do so.
- 8.2
- **Structures must be adequately secured.**
 - Structures must be kept within the boundary of the Allotment and must not be constructed over underground utilities (e.g. water supply pipes).
 - Solid fences adjacent to neighbours Allotments should not exceed 1 metre in height and wire and trellis fences should not exceed 1.5 metres in height.
 - The use of barbed (type) wire is prohibited
 - No materials, plant or structures are to be attached to Council fencing.

8.3 Structures at the termination of the Tenancy

- The Council accepts no responsibility for structures left on the allotment at the termination of the tenancy.
- Any such structures should be removed by the outgoing tenant unless it is left by agreement in writing with the Authorised Officer for the benefit of the incoming tenant or others on the site.

8.4 Paths & Principal Paths

- All paths between Allotments must be maintained at a minimum of 600mm (2 feet) wide and be cut and maintained to the nearest half width by each adjoining tenant.
- Paths must be kept clear of obstructions at all times.
- Principal Paths must not be obstructed or parked on by vehicles.

9. Dogs, Livestock and Bees

- Dogs must not be brought onto any Allotment unless they are kept on a lead or otherwise restrained at all times. Dogs may not foul the site or stray onto other Allotments
- The burial of animals on any Allotment land is strictly forbidden.
- Any Allotment holder contemplating keeping bees on their Allotment must contact the Council and a Bee Agreement finalised and agreed by both parties prior to the bees being sourced.
- No animals or livestock (other than bees, hens and stock rabbits) may be kept overnight on Site.
- A maximum of ten hens or four stock rabbits, (being rabbits more than six months old), may be kept on any ten Rods of Allotment Garden.
- A maximum of two Rods (approx 50m²) of each 10 Rod (approx 250 m²) Allotment may be used for keeping hens and 1 Rod (approx 25m²) for rabbits.
- Tenants who wish to keep livestock or bees on Allotments smaller than 10 Rods (approx 250 m²) must obtain the prior written consent of the Council so to do.
- Any part of the Allotment used for keeping hens or rabbits must be securely and adequately fenced to the satisfaction of the Council.

10. Rent

- Rents will be reviewed and will rise by the amount agreed by the Council prior to the 1st April each year.
- Rent increase will apply to all tenants irrespective of whether the individual tenant has been advised of the increase. It is the tenant's responsibility to acquaint themselves of the increase.
- Any increase in rent will apply from the 30th September of each year and will be announced by way of a Notification.
- If the rent remains unpaid for a period of more than 40 days from the due date, the Allotment shall be considered vacant and will be re-let.
- The rent year runs from 30th September. Tenants taking up an allotment within the rent year will be required to pay for the remainder of the year pro rata.
- A tenant may relinquish their Allotment at any time, or have their tenancy terminated for breach of the tenancy agreement before year end but no rebate will be payable.
- The tenant must remove any items or derelict structures from their Allotment before the end of their tenancy.

11. Observance of Rules

- These Rules supersede any previous rules in force on Allotment Gardens or land managed in a similar way by the City Council.
- The Authorised Officer reserves the right to amend or waive any Rule in respect of a particular Tenancy where they consider the need is justified.
- Tenants must observe and comply with current rules and regulations and those which the

Council may make at any time in the future.

- Rules will be posted online on the Council website www.exeter.gov.uk, and will be displayed either on Site notice boards or gates.
- Tenants must comply with any reasonable or legitimate directions given by the Authorised Officer in relation to an allotment or site.
- If a Tenant fails to use or keep their Allotment in compliance with these Rules they shall be served a Warning Notice giving them 28 days to remedy the situation as specified.
- Failure to comply with the requirements of the Warning Notice will result in a Notice to Quit the Allotment.
- The Notice to Quit will require the Tenant to deliver vacant possession of the Allotment within one calendar month of the date of service of the Notice.
- It is the Tenant's responsibility to notify the Council in writing if they are unable for health or other reasons to maintain their Allotment.
- A Warning Notice will be served before a Notice to Quit except where in the opinion of the Council's Service Manager the use of the Allotment or the behaviour of those associated with it is such that the Tenancy should be terminated immediately.
- A Notice to Quit will be served if two previous Warning Notices have been served during the course of the tenancy.
- The Authorised Officer reserves the right to enter onto the Allotment without prior notice to inspect the condition thereof or undertake emergency repairs.

12. Site Safety and Security

- No Tenant may cause or permit harassment, alarm or distress to another occupier or user of the Site.
- It is the responsibility of the Tenant to ensure that their use and occupation of the Allotment does not represent a danger to themselves or other visiting the Site.
- Anything on the Allotment which is considered hazardous by an Officer of the Council shall be removed.
- Storage of fuels, other than small amounts (5 litres) for immediate use is prohibited.
- Tenants may not bring, use or allow the use of barbed or razor wire or any similar material on the Allotment.
- All Tenants must lock gates on entry and departure to prevent access by unauthorised people or animals. This applies even if the gate is found to be already unlocked on arrival / departure.
- The Tenant is responsible for the behaviour of children and adults visiting the Allotment.
- Nothing shall be done on the Allotment that will cause a nuisance to users of the other Allotments or those adjoining the Site.

13. Vehicles, Tents and Caravans

- Motor vehicles may only be parked with a designated parking area.
- Caravans and live-in vehicles are not permitted on any Allotment land overnight.
- The overnight use of tents or other temporary structures is not permitted on the Site.

14. Allotment numbering and Notices

- Tenants must mark the Allotment number on the outside of a shed or greenhouse, or on a post, and keep it visible from the Principal Path or main access path.
- Only Site Society or Association, Federation and Council information may be displayed on Allotment notice boards, where provided.

15. Change of Address and Notices

- Tenants must immediately inform the Council in writing of changes of address and contact

details.

- If a Tenant moves to an address outside of the boundary of the Exeter City Council their tenancy will be terminated.
- Notices to be served by the Council on the Tenant may be sent to the Tenant's address in the Tenancy Agreement (or as subsequently notified to the Council under these rules) by ordinary post or served on the Tenant personally; or placed on the Allotment.

Written information for the Council should be sent to Exeter City Council or by email to allotments@exeter.gov.uk

16. Interpretation of Rules, Disputes etc

- Interpretation of these rules will be made by the Authorised Officer.
- The Council's decision in any dispute is final and is delegated to the Service Manager (Business & Commercial Operations) in consultation with the Portfolio Holder for Environment, Health and Wellbeing.
- Where allotment tenancies are rented to a group they are collectively subject to additional rules issued by the Authorised Officer.

17. Tenancy Termination

The Tenancy will be terminated where the right of occupation of the land by the Council is terminated.

Otherwise the Council will give the tenant one month's written Notice to Quit if:

- The rent is in arrears for 40 days or more (whether formally demanded or not)
- The Tenant is in breach of any of these rules or of their tenancy agreement
- The Tenant no longer resides within the City
- The Tenant has given 28 days' notice to terminate the Tenancy either by post to Exeter City Council Civic Centre Exeter.EX1 1JN or by emailing allotments@exeter.gov.uk giving details of the Allotment name and the Allotment number.
- Upon the death of a Tenant, their partner may apply to the Council within four weeks to take over the Tenancy.

Any costs incurred by the Council in respect of the condition of the allotment at the termination of the tenancy will be recharged to the outgoing tenant.

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REPORT TO: SCRUTINY COMMITTEE - COMMUNITY
Date of Meeting: 9 September 2014
Report of: Assistant Director Customer Access
Title: Welfare Reform Impact Update

Is this a Key Decision?

Not applicable, this report does not seek a decision by members.

Is this an Executive or Council Function? Not applicable

1. What is the report about?

This report is presented to update members on the impact on residents and Exeter City Council (ECC) of the welfare reforms introduced since April 2013, and outlines actions that have been taken to minimise this impact.

2. Recommendations:

That members note the impact of welfare reform in relation to current demand, potential future demand and the resource need that will affect the Council. To seek member's approval for further welfare reform updates to be presented as member briefings.

3. Reasons for the recommendation:

This is an update report for members reflecting the current & forecast future demand on the Council's services and capacity to support ECC residents in relation to the welfare reform changes.

4. What are the resource implications including non financial resources.

- 4.1 The primary resource implications identified from April 2013 is staff time to understand and resolve complex financial & support issues that customers are presenting with. A dedicated team of officers are supporting Customer Service Officers to find solutions both within and outside ECC's provision across all issues from financial to individual care and support needs. A team of officers is dealing with a large volume of complex arrears cases whilst also maintaining standard recovery across Housing Rent, Council Tax and Housing Benefit overpayments, using negotiation skills to promote a culture of payment whilst also identifying solutions to financial and support needs where appropriate. A reduced team of Benefit Assessors has struggled to keep up with the caseload volume to assess, calculate and pay Housing Benefit and Council Tax Support.
- 4.2 Financial support that officers can currently offer include: the use of discretionary funds in the form of Discretionary Housing Payments (DHP), Exceptional Hardship Payments (EHP) and Local Welfare Support (LWS).
- 4.3 Resources in the future may be further stretched by the ending of the LWS fund that is currently administered by ECC on behalf of Devon County Council (DCC). This funding started in April 2013 following the abolition of social fund payments administered by the Department for Work and Pensions (DWP) and will cease from

April 2015; however demand and expectation has now been created amongst ECC residents by the provision of support for those with high priority short term needs in the community. It is highly likely that the demand will remain after April 2015, as customers still seek support from the Council, but officers will need to manage the demand by working creatively with partners to identify and source alternative external resources that will still be time consuming. However, it is not likely that the Council will be able to offer the level of support currently available and therefore we need to manage expectations from residents. Due to the introduction of this Fund, it is difficult to evaluate the true impact of welfare reform for ECC residents its use has, to some extent, masked the full impact which may only become apparent after April 2015.

- 4.4 A future change that is anticipated is the direct payment of Housing Benefit to all claimants. Currently Housing Benefit claimants who are social sector tenants have their Housing Benefit entitlement paid direct to their landlord. As part of the move to Universal Credit, the DWP announced over 12 months ago that direct payments would be rolled out nationally. The impact of this on the Council as a landlord will mean all tenants entitled to Housing Benefit receiving their payment direct. From direct payment pilots set up by the DWP so far the evaluation has been mixed, with an overall message that the landlords involved in the pilot have needed to apply intense management techniques to support and encourage customer behaviour towards rent payment.
- 4.5 In April 2013 the Exeter Money Advice Partnership (EMAP) was established, this is a collaborative project between ECC, Citizens Advice Bureau and Homemaker to bring a debt management service within the 'Help me with my financial/housing problem' System. A full evaluation project will start from September 2014 to measure the effectiveness of the current EMAP referral system in place to determine the volume and complexity of cases where ECC cannot provide an effective customer solution alone. The EMAP project has been funded through the LWS funding, therefore when this funding stream ceases there will not be financial resources to continue. A decision will be needed on the continuation of this partnership project and is currently under consideration by the System Leads for Finance and Housing. Members may be required to make future decisions on funding to support this partnership resource.

5. Section 151 Officer comments:

- 5.1 There are no specific financial implications for the Council contained in this report.

6. What are the legal aspects? Not applicable

7. Monitoring Officer's comments:

- 7.1 This report raises no issues for the Monitoring Officer

8. Report details:

- 8.1 From April 2013, welfare reforms have been introduced locally across Housing Benefit and Council Tax Support. In September 2012, ECC officers started meeting to discuss and identify a co-ordinated approach to these changes that would affect ECC residents.
- 8.2 The welfare reforms implemented from, or after April 2013 are:
- Council Tax Support scheme for working age customers

- Housing Benefit social sector size restriction
- Housing Benefit Cap
- Changes to the uprating of Local Housing Allowance (LHA)
- Abolition of Social Fund via DWP (introduction of LWS)
- Introduction of Personal Independence Payments (PIP) (to replace Disability Living Allowance (DLA))

8.3 The impact of Universal Credit (UC) has not yet been realised in the Exeter area. Pilot sites across the country have been established by the DWP and as customers move they will bring their UC entitlement with them. The DWP announced further claimant criteria areas that will be rolled into UC from this summer to expand the pilot evaluation.

8.4 An internal case-working team will be in place for September 2014 to allow close monitoring of referrals to EMAP to commence. External agencies have been advised that the LWS fund is closing and given links to alternative streams of funding to apply to. ECC is currently working with Devon County Council (DCC) and other district local authorities (LAs) on an exit strategy. Work has started to bring in a Credit Union to the 'Help me with my financial/housing' System.

8.5 Funding has been secured for temporary extra staffing. Recruitment should take place in September 2014. A temporary structure is being put in place ahead of the formal restructure, so that structured recovery can be undertaken equally on all debts instead of priority being given to Council Tax. A one-off exercise is being undertaken on existing bailiff cases following the changes to enforcement regulations. Work is currently in progress on a new corporate debt policy and new write off policy to standardise procedures across types of debt.

8.6 Extra funding has been secured from DCC, Police and Fire authorities for compliance activities including Council Tax Support and discount/exemption checks. £16m funding is being made available by the Department for Communities and Local Government (DCLG). ECC is submitting a joint bid with DCC, Plymouth and Torbay unitary authorities and all other Devon LAs for £750k from this funding for Devon. The result will be announced in November 2014.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The corporate plan is met in the following areas:

- Develop proposals for responding to the end of Local Welfare Support
- Develop the work of the OVOD team
- Maximise income and secure the gateway against fraud

10. What risks are there and how can they be reduced?

10.1 The current restructure will need to realise savings in 2015/16; this could lead to a reduction in the staff resources available to deal with the current demand in the System.

10.2 A risk of demand outstripping the resources ECC has available to cope. Robust monitoring of measures and trends to inform future demand areas is key. In addition, prediction of future demand would be desirable to inform resource need.

- 10.3 A risk of ECC's ability to maintain the current levels of service if demand increases and resources are reduced. Members may need to make future decisions on the direction, level and depth of service provided to Exeter residents.
- 10.4 The proposal of further welfare reforms surrounding the reduction of the Housing Benefit Cap and reforms to the level of benefit claiming for households with children. The further impact this may produce on ECCs service provision could jeopardise the maintenance of the current level of support and understanding within the 'Help me with my financial/housing problem' System.
- 11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**
- 11.1 There is likely to be an impact across all ECC residency profiles if future funding and service provision was reduced. This will have an equality impact and may have an impact on health and wellbeing for the most vulnerable groups.
- 12. Are there any other options?**
- 12.1 To maintain and if necessary expand the current System resources where appropriate to support Exeter residents with a robust case working resource that can operate holistically across the System by maximisation of customer incomes and provision of effective debt prevention solutions.

Bindu Arjoon, Assistant Director Customer Access

Local Government (Access to Information) Act 1972 (as amended)
Background papers used in compiling this report:-

Contact for enquires:
Democratic Services (Committees), Room 2.3, (01392) 265275

REPORT TO: SCRUTINY COMMITTEE - COMMUNITY
DATE OF MEETING: 9 September 2014
REPORT OF: Assistant Director Finance
TITLE: Housing Revenue Account Budget Monitoring - June 2014

Is this a Key Decision?

No

Is this an Executive or Council Function?

No

1. What is the report about?

To advise Members of any major differences, by management unit, between the approved budget and the outturn forecast for the first three months of the financial year up to 30 June 2014 in respect of the Housing Revenue Account and the Council's new build schemes.

A budget monitoring update in respect of the HRA Capital Programme is also incorporated into this report in order to help provide a comprehensive financial update in respect of the Housing Revenue Account.

In addition to the budgetary over/under-spends reported to this committee, Appendix 1 also highlights further areas of risk, so that Members are aware that certain budgets have been identified as being vulnerable to factors beyond the control of the Council, which may result in potential deviations from budget, and are therefore subject to close monitoring, by officers.

2. Recommendations:

That Members of Scrutiny Committee – Community assure themselves that satisfactory actions are being undertaken by Officers to address the key areas of budgetary pressure highlighted in this report.

3. Reasons for the recommendation:

The Housing Revenue Account is a statutory account and local housing authorities have a duty to keep an HRA in accordance with proper accounting practices and to review the account throughout the year. This is the first quarterly financial update in respect of the HRA for 2014-15.

4. What are the resource implications including non financial resources

This is the third financial year that the HRA has operated since the introduction of self-financing in April 2012. Self-financing enables stock holding authorities to retain the income they collect from rents for local re-investment, so that they are in a position to support their own stock from their own income.

Self-financing provides a clearer relationship between the rent a landlord collects and the services they provide. The financial resources required to deliver services to Council tenants during 2014-15 are set out in the body of this report.

5. Section 151 Officer comments:

This report has been prepared on behalf of the Section 151 Officer to set out the financial position of the Housing Revenue Account, as at 30 June 2014.

6. What are the legal aspects?

The Housing Revenue Account is framed by the Local Government and Housing Act 1989. This Act created the ring-fence and the structure within which the HRA operates and covers the detailed operation of the HRA, including the credits (income) and debits (expenditure) which make up the account.

7. Monitoring Officer Comments:

The Monitoring Officer has no issues to raise on the content of this report.

8. Report Details:

HRA BUDGET MONITORING TO 30 JUNE 2014

8.1 Projected Surplus/Deficit

During this period the total budget variances indicate that there will be a net deficit of £757,730 in 2014-15. This represents a decrease of £108,820 compared to the revised budgeted deficit of £866,550 for 2014-15; the main deviations from budget are set out below. Please also refer to Appendix 2.

Budget Heading	Forecast Budget Variance (Under)/Overspend	Explanation
Budgeted Deficit	£786,550	
Supplementary budget for Low Maintenance and Painting	£80,000	Executive approved 15 July 2014
Revised Budgeted Deficit	£866,550	
Management Costs	(£77,600)	<ul style="list-style-type: none">• Savings in employee costs as certain posts have remained vacant pending the outcome of the restructure of Housing Services• Additional Supporting People Subsidy is receivable for 2014-15 following negotiation of a 12 month contract extension• Less extensive structural repairs to three council properties has resulted in a saving in respect of tenant decant costs.
Sundry Land Maintenance	(£17,000)	<ul style="list-style-type: none">• Savings are expected to be achieved in respect weed spraying housing estate land as the work has been integrated into the routine ground maintenance work undertaken by the in-house operatives.• A saving in respect of the Garden Assistance Scheme is forecast to be made, as the cost per garden is lower than budgeted following re-tendering of the contract.
Repairs and	(£169,000)	<ul style="list-style-type: none">• Savings are forecast to be made in respect of

Maintenance Programme		<p>routine service and maintenance budgets as follows:</p> <ul style="list-style-type: none"> - Works to UPVC windows and extractor fans will be demand led in response to reported faults, rather than through a routine inspection regime (£32k) - Servicing smoke detectors will not be necessary during 2014-15 as a programme of smoke detector replacements has been incorporated into the new gas servicing contract, which commenced in July 2014 (£20k) - The inspection of ducts for warm air units in communal areas has also been incorporated into the new gas servicing contract and the costs will be absorbed within the approved gas servicing budget (£30k) <p>• A lower than anticipated general maintenance contract inflationary increase for 2013/14 has also been negotiated</p>
Revenue Contribution to Capital	£154,780	• This represents the additional revenue monies required to finance the acquisition of four flats at Dean Clarke House, as approved by Executive 18 September 2012. It was originally expected that the flats would be acquired in 2013-14 but developer amended the schedule for their conversion to September 2014.
Total budget variances	(£108,820)	
Projected HRA deficit	£757,730	Transfer from HRA Working Balance

8.2 Impact on HRA Working Balance

The HRA Working Balance represents amounts set aside to help facilitate service improvements, repay debt or to provide investment in the stock in future financial years.

The forecast balance, as at 31 March 2015, is set out below. Please also refer to Appendix 3 which sets out the total forecast HRA capital resources over the next 3 years, of which the HRA working balance forms a significant part.

Movement	2014/15
Opening HRA Working Balance, as at 1/4/14	£5,963,219
Deficit for 2014/15	(£757,730)
Balance resolved to be retained (HRA contingency)	(£3,000,000)
Balance Available, as at 31/3/15	£2,205,489

8.3 HRA Capital Programme

The 2014-15 HRA Capital Programme was approved by Council on 25 February 2014. Since that meeting the following changes have been made that have increased the programme.

Description	2014/15	Approval / Funding
HRA Capital Programme	£11,994,981	
Budgets carried forward from 2013/14 HRA Capital Programme	£1,303,769 £522,303	Executive 1 April 2014 Executive 15 July 2014
St Loyes Extra Care Scheme	£251,350	Executive 18 March 2014
Acquisition of 7 Hill Lane	£280,000	Executive 24 June 2014
Revised HRA Capital Programme	£14,352,403	

8.4 Performance

The current HRA Capital Programme is detailed in Appendix 4. The appendix shows a total forecast spend of £14,824,685 compared to the £14,352,403 approved programme, an increase of £472,282. This relates to approved budgets for COB Wave 2 being accelerated into 2014/15 in accordance with the latest cash-flow projections.

8.5 Capital Budget Variances

The details of key variances from budget are set out below.

Scheme	Forecast Overspend / (Underspend)	Explanation
Structural Repairs	(£70,000)	Savings are projected in respect of underpinning 44 Heath Road, 37 Leypark Road and 129 Beacon Lane as less extensive works have been identified as necessary in order to stabilise the properties.
Flood Prevention Works	(£20,000)	Despite prolonged heavy rain in the early part of 2014, no council dwellings experienced problems with flooding. There are therefore no plans to spend this budget in 2014-15. Budgets may be requested in future years for flood prevention measures as and when they are deemed necessary.
Bridespring / Mincinglake Road Works	(£16,000)	Alterations to the car park and retaining walls have been completed below their estimated cost, following a re-design of the existing car park drainage rather than installing a new drainage system.
COB Wave 2 – Newport	£191,606	In overall terms, a budget of

Road		£7.5m was approved by Executive in respect of COB Wave 2. The allocation of this budget over the four sites have been adjusted to reflect the latest cash-flow projections, with the budgets for Newport Road, Whipton Methodist Church site and Bennett Square increasing and a corresponding reduction made in respect of Rennes House Car Park – due to a re-design of the scheme. It is projected that all four sites remain deliverable within the overall budget, unless additional affordable units are added to the Rennes House scheme.
COB Wave 2 – Rennes House Car Park	(£471,102)	
COB Wave 2 – Whipton Methodist Church	£144,549	
COB Wave 2 – Bennett Square	£134,947	
Scheme	Budget to be deferred to 2015/16	Explanation
Smoke Detector Replacements	£150,000	The programme of replacing smoke detectors has been incorporated into the new comprehensive Gas Contract, which commenced in July 2014; to be completed over a 12 month period. The budget for works profiled for April to July 2015 will therefore need to be carried forward into 2015-16.
Structural Repairs	£25,000	The stability of 3 Leypark Crescent will be monitored during 2014-15 in order to determine the extent of structural repairs required. Actual works are expected to be deferred until 2015-16 until the outcomes are known.
Common Area Footpath/Wall Improvements	£100,000	The appointment of a Health and Safety Compliance Officer is pending the restructure of Housing Services. It is therefore projected that significant spend of this budget will be deferred until 2015-16 when the new officer will be tasked with identifying a programme of works to improve footpaths and walls. Priority health and safety works will be undertaken in the interim.

COB Wave 2 – Newport Road	£498,918	In accordance with the latest projections, this scheme is due to complete in August '15 and therefore this budget will need to be carried forward into 2014-15.
COB Wave 2 – Rennes House car park	(£1,504,615)	Significant spend on the Rennes House site was not anticipated until 2015-16, therefore this represents an acceleration of approved funding to 2014-15, as works are now projected to start on site in November.
Acquisition of Social Housing	£152,415	The acquisition of three properties on the lower Royal Navy Store Depot site, for social housing, are unlikely to complete until 2015-16 as this phase of the development is not due to start on site until January 2015.

9. COUNCIL OWN BUILD BUDGET MONITORING TO 30 JUNE 2014

The Council's own build properties at Rowan House and Knights Place form part of the overall Housing Revenue Account, but separate income and expenditure budgets are maintained in order to ensure that they are self-financing.

9.1 Projected Surplus/Deficit

There are no projected variances to report, as at June. The budgeted net surplus of £22,670 is still projected to be achieved during 2014-15.

MU Code	Management Unit	Budget Variance Overspend / (Underspend)	Explanation
85B5	COB	£0	The budgets for 2014/15 factored in a reduction in rental income due to properties remaining empty whilst snagging issues at Knights Place are resolved. This will form part of a claim to the main contractor and has been highlighted as an area of budgetary risk.

10. How does the decision contribute to the Council's Corporate Plan?

The Housing Revenue Account contributes to two key purposes, as set out in the Corporate Plan; help me find somewhere suitable to live and maintain our property assets.

11. What risks are there and how can they be reduced?

Areas of budgetary risk are highlighted to committee as part of the quarterly budget monitoring updates. Appendix 1 sets out the risks identified, as at June.

12. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

No impact

13. Are there any other options?

No

Assistant Director Finance

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:

None

Contact for enquiries:

Democratic Services (Committees)

Room 2.3

(01392) 265275

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APRIL 2014 TO JUNE 2014

ACTUAL TO DATE			YEAR END FORECAST			
PROFILED BUDGET	ACTUAL TO DATE	VARIANCE TO DATE	Code	APPROVED BUDGET	CURRENT OUTTURN FORECAST	FORECAST VARIANCE
£	£	£		£	£	£
826,271	807,575	(18,696)	85A1 MANAGEMENT	3,264,640	3,187,040	(77,600)
91,122	82,743	(8,379)	85A3 SUNDRY LAND MAINTENANCE	287,590	270,590	(17,000)
1,542,792	881,097	(661,695)	85A4 REPAIRS & MAINTENANCE PROGRAMME	6,175,400	6,006,400	(169,000)
0	0	0	85A5 REVENUE CONTRIBUTION TO CAPITAL	6,195,200	6,349,980	154,780
0	0	0	85A6 CAPITAL CHARGES	2,356,390	2,356,390	0
(4,836,250)	(4,886,948)	(50,698)	85A8 RENTS	(19,347,730)	(19,347,730)	0
0	0	0	85B2 INTEREST	1,935,060	1,935,060	0
			85B4 MOVEMENT TO/(FROM) WORKING BALANCE	(866,550)	(757,730)	108,820
			Net Expenditure	0	0	0
			Working Balance 1 April 2014	5,963,219	31 March 2015	5,205,489

COUNCIL OWN BUILD SITES

PROFILED BUDGET	ACTUAL TO DATE	VARIANCE TO DATE	Code	APPROVED BUDGET	CURRENT OUTTURN FORECAST	FORECAST VARIANCE
£	£	£		£	£	£
(1,880)	(1,935)	(55)	H006 ROWAN HOUSE	(7,540)	(7,540)	0
(3,580)	(4,489)	(909)	H007 KNIGHTS PLACE	(35,150)	(35,150)	0
0	0	0	H008 INTEREST	9,390	9,390	0
0	0	0	H009 CAPITAL CHARGES	10,630	10,630	0
			H010 MOVEMENT TO/(FROM) WORKING BALANCE	22,670	22,670	0
			Net Expenditure	0	0	0
			Working Balance 1 April 2014	103,512	31 March 2015	126,182

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APPENDIX 3

HOUSING REVENUE ACCOUNT	2014-15 £	2015-16 £	2016-17 £	TOTAL £
CAPITAL RESOURCES AVAILABLE				
Usable Receipts Brought Forward				2,057,869
Major Repairs Reserve Brought Forward				3,783,728
Other HRA Sales	176,000	0	0	176,000
RTB sales	750,000	500,000	350,000	1,600,000
Major Repairs Reserve	2,356,390	2,356,390	2,356,390	7,069,170
Revenue Contributions to Capital	6,349,980	5,771,928	5,689,075	17,810,983
External contributions	84,340	0	0	84,340
HCA funding	0	0	700,000	700,000
Commutated sums	296,346	1,605,737	1,897,918	3,800,001
Total Resources available	10,013,056	10,234,055	10,993,383	37,082,091
CAPITAL PROGRAMME				
HRA Capital Programme	14,056,057	7,477,274	8,357,732	29,891,063
St Lyses Extra Care	296,346	1,605,737	4,127,193	6,029,276
COB Wave 2 - Re-profiling	1,005,697	1,267,235	(2,272,932)	0
Overspends / (Savings)	(106,000)			(106,000)
Slippage - June	(427,415)	427,415		0
Total Housing Revenue Account	14,824,685	10,777,661	10,211,993	35,814,339
UNCOMMITTED CAPITAL RESOURCES:				
Usable Receipts Brought Forward	2,057,869	400,665	400,665	2,057,869
Major Repairs Reserve Brought Forward	3,783,728	629,303	85,697	3,783,728
Resources in Year	10,013,056	10,234,055	10,993,383	31,240,494
Less Estimated Spend	(14,824,685)	(10,777,661)	(10,211,993)	(35,814,339)
Uncommitted Capital Resources	1,029,968	486,362	1,267,752	1,267,752
WORKING BALANCE RESOURCES:				
Balance Brought Forward	5,963,219	5,205,489	5,136,819	6,290,296
HRA Balance Transfer - Surplus/(Deficit)	(757,730)	(68,670)	314,023	(839,454)
Balance Carried Forward	5,205,489	5,136,819	5,450,842	5,450,842
Balance Resolved to be Retained	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)
	2,205,489	2,136,819	2,450,842	2,450,842
TOTAL AVAILABLE CAPITAL RESOURCES	3,235,457	2,623,181	3,718,594	3,718,594

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**2014-15
CAPITAL MONITORING TO 30 JUNE 2014**

		2014-15 Capital Programme	2014-15 Spend	2014-15 Forecast Spend	2014-15 Budget to be Carried Forward to Future Years	2014-15 Programme Variances Under ()
		£	£	£	£	£
	HRA CAPITAL					
7HHOME	EVERYONE HAS A HOME					
Z4212	Adaptations	630,000	157,728	630,000		0
Z4402	Rendering of Council Dwellings	323,500	6,122	323,500		0
Z4502	MRA Fees	35,280	0	35,280		0
Z4702	Communal Door Entry System	10,000	173	10,000		0
Z4703	Environmental Improvements - General	30,000	173	30,000		0
Z4705	Programmed Re-roofing	65,310	9,128	65,310		0
Z4709	Energy Conservation	70,400	16,321	70,400		0
Z4717	Smoke Detector Replacements	428,230	0	278,230	150,000	0
Z4718	LAINGS Refurbishments	296,850	0	296,850		0
Z4719	Kitchen Replacement Programme	2,648,710	169,815	2,648,710		0
Z4724	Bathroom Replacements Programme	1,164,850	45,736	1,164,850		0
Z4740	Other Works	44,620	0	44,620		0
Z4742	Fire Precautionary Works to Flats	277,090	4,104	277,090		0
Z4743	Communal Areas	191,640	0	191,640		0
Z4745	Structural Repairs	279,390	3,656	184,390	25,000	(70,000)
Z4746	Fire Alarms at Sheltered Accommodation	15,300	0	15,300		0
Z4752	Flood Prevention Works	20,000	0			(20,000)
Z4753	Property Entrance Improvements	20,000	0	20,000		0
Z4755	Rennes House Structural Works	435,840	0	435,840		0
Z4756	Automatic Doors Faraday House	15,000	0	15,000		0
Z4757	Bridespring/Mincinglake Road Works	36,000	0	20,000		(16,000)
Z4758	Common Area Footpath/Wall Improvements	150,000	0	50,000	100,000	0
Z4759	Higher Barley Mount Improvements	34,000	0	34,000		0
Z4760	Lift Replacement 98 Sidwell Street	50,000	0	50,000		0
Z4761	Replacement Lead Water Mains	25,000	5,003	25,000		0
Z4762	Communal Garden Retaining Walls	55,000	0	55,000		0
Z4763	Soil Vent Pipe Replacement	20,000	0	20,000		0
Z4764	Electrical Central Heating	35,000	0	35,000		0
Z4766	Capita Upgrade	7,500	7,500	7,500		0
Z4802	Electrical Re-wiring	899,630	52,878	899,630		0
Z4901	Central Heating Programme	354,190	22,955	354,190		0
Z4903	Boiler Replacement Programme	550,630	27,045	550,630		0
	HOUSING REVENUE ACCOUNT TOTAL	9,218,960	528,337	8,837,960	275,000	(106,000)
	COUNCIL OWN BUILD CAPITAL					
Z3214	COB Wave 2 - Rennes Car Park	148,430	23,870	1,181,943	(1,504,615)	(471,102)
Z3215	COB Wave 2 - Newport Road	1,023,560	21,865	716,248	498,918	191,606
Z3218	COB Wave 2 - Whipton Methodist Church	1,149,589	7,056	1,294,138		144,549
Z3219	COB Wave 2 - Bennett Square	1,011,504	9,996	1,146,451		134,947
Z3220	St Loyes ExtraCare	296,350	0	296,350		0
Z3248	Phase 3 Professional Fees	9,200	0	9,200		0
Z3249	Phase 2 St Andrews Road	10,230	0	10,230		0
Z3250	COB Land Purchase	300,000	0	300,000		0
Z3260	Rennes House Wider Site Development	280,000	0	280,000		0
Z4751	Acquisition of Social Housing	904,580	3,212	752,165	152,415	0
	COUNCIL OWN BUILD TOTAL	5,133,443	65,999	5,986,725	(853,282)	0
	OVERALL HOUSING REVENUE ACCOUNT TOTAL	14,352,403	594,336	14,824,685	(578,282)	(106,000)

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AREAS OF BUDGETARY RISK**APPENDIX 1**

A number of areas of budgetary risk have been identified within the HRA, as follows:

Budget Title	Approved Budget	Risk
Restructure of Housing Services		The financial impact of the proposed restructure of Housing Services is pending the outcomes of Job Evaluation and the time required to complete the recruitment process.
Rental Income from Dwellings	£18,900,000 (revenue)	Right to Buy sales, number of new tenancies set at convergence rent levels, number of days lost through major works, rent lost in respect of void properties and welfare reform changes (for which an increased bad debt provision has been made) all impact on the annual rental income. Early indications show rental income ahead of profile, as the amount of rent lost through void properties has reduced following a reduction in turnaround times.
General Maintenance	£1,588,000 (revenue) -	Reduction in the number of reported faults in the first three months of the year (3,657) compared to the same time last year (3,906), if pattern continues it could result in a potential under-spend.
Repairs to Void Properties	£1,500,000 (revenue)	A number of factors may result in an under-spend against this budget in sharp contrast to last financial year; kitchen and bathrooms are being referred to the capital replacement programmes, pre-void inspections are resulting in works being undertaken before a tenant hands back their property, minimum amount of works being undertaken in accordance with existing Voids Standard and a reduction in the number of void properties in the first quarter of the financial year compared to 2013/14.
Gas Servicing Contract	£965,000 (revenue)	New comprehensive Gas Contract commenced in July 2014, which may result in a budgetary saving. To be monitored and reported later in the financial year.
RTB Sales Administration	£30,990 (revenue)	Recent changes to the cap on Right to Buy discounts from £75k to £77k and the maximum discount for houses rising from 60% to 70% may impact on the level of RTB applications and subsequent sales.
Kitchen Replacement Programme	£2,648,710 (capital)	The number of kitchens which can be replaced within approved budgets may vary dependent upon the cost of associated works such as electrical repairs and re-plastering, which varies per property. For 2014-15 it is planned that 477 kitchens will be replaced.

Bathroom Replacement Programme	£1,164,850 (capital)	The number of bathrooms which can be replaced within approved budgets may vary dependent upon the cost of associated works such as re-plastering, which varies per property. For 2014-15 it is planned that 369 bathrooms will be replaced.
Rennes House Structural Repairs	£435,840 (capital)	This budget provides for essential structural repairs highlighted by external consultants; however completion of the works is pending the outcomes of an options appraisal for the block of flats, completion of a tender process and appointment of a project manager.
Central Heating Replacements	£354,190 (capital)	Spend of this budget may be affected by the commencement of the new comprehensive Gas Contract, as systems may continue to be repaired rather than replaced.
Boiler Replacement Programme	£550,630 (capital)	Spend of this budget may be affected by the commencement of the new comprehensive Gas Contract, as boilers may continue to be repaired rather than replaced.
Knights Place	No budget (capital)	Significant works have been required to resolve water penetration issues at Knights Place and the costs and associated lost rental income will form part of a claim from the main contractor.

EXETER CITY COUNCIL

REPORT TO: SCRUTINY COMMITTEE - COMMUNITY
DATE OF MEETING: 2 SEPTEMBER 2014
REPORT OF: ASSISTANT DIRECTOR FINANCE
TITLE: BUDGET MONITORING REPORT TO 30 JUNE 2014

Is this a Key Decision?

No

Is this an Executive or Council Function?

No

1. What is the report about?

This report advises Members of any material differences to the approved budget in respect of the Community Services revenue and capital budgets.

Potential areas of budgetary risk are also highlighted in this report, so that Members are aware that certain budgets have been identified as being vulnerable to factors beyond the control of the Council, which may result in potential deviations from budget, and are therefore subject to close monitoring by officers.

2. Recommendations:

That Members of Scrutiny Committee – Community assure themselves that satisfactory actions are being undertaken by Officers to address the key areas of budgetary pressure highlighted in this report.

3. Reasons for the recommendation:

Local authorities have a statutory duty to set and monitor their budgets during the year and to take any actions necessary because of potential overspending or potential shortfalls in income. Members are therefore presented with a quarterly financial update in respect of Community Services.

4. What are the resource implications including non financial resources

The financial resources required to deliver Community Services during 2014/15 are set out in the body of this report.

5. Section 151 Officer comments:

This report has been prepared on behalf of the Section 151 Officer to set out the projected financial position of Community Services as at 31 March 2015.

6. What are the legal aspects?

Part 2 of the Local Government Act 2003 provides the legislative framework for the process of setting and managing budgets. In particular, Section 28 of the 2003 Act requires local authorities to monitor their budgets during the financial year.

7. Monitoring Officer comments:

The Monitoring Officer has no issues to raise on the content of this report.

8. Report Details:

Community Services Budget Monitoring to 30 June 2014

8.1 Key Variations from Budget

The current forecast suggests that net expenditure for this committee will decrease from the approved budget by a total of £2,560 after transfers from reserves and revenue

contributions to capital, as detailed in Appendix 1. This represents a variation of 0.03% from the approved budget. This includes supplementary budgets of £10,130.

8.2 The significant variations by management are:

MU Code	Management Unit	Over / (Underspend)	Detail
81A3	Health & Safety, Licensing & Commercial	(£5,260)	<ul style="list-style-type: none"> Vacancy pay savings
81A4	Public Safety	£3,000	<ul style="list-style-type: none"> University Contract loss of income
81B2	Bereavement Services	(£31,200)	<ul style="list-style-type: none"> Backdated NNDR refund Higher Cemetery
81C4	Private Sector Housing	£39,170	<ul style="list-style-type: none"> Introduction of a new licensing scheme not expected until late 2014/15
81D7	Exton Road Overheads and Fleet Management	(£6,260)	<ul style="list-style-type: none"> Rate refund and utility savings

9. Capital Budget Monitoring to 30 June 2014

To report the current position in respect of the Community Capital Programme and to update Members with any anticipated cost variances, acceleration of projects or slippage of schemes into future years.

9.1 Revisions to the Community Capital Programme

The 2014/15 Capital Programme, including commitments brought forward from 2013/14, was last reported to Scrutiny Committee – Resources on 2 July 2014. Since that meeting the following changes have been made to the programme:

Description	£	Approval/Funding
Capital Programme, as at 2 July 2014	2,067,910	
Play Area Refurbishments	7,250	Contribution from Bull Meadow Playground Project
Topsham Recreation Ground	30,490	Contribution from Topsham Community Association
Revised Capital Programme	2,105,650	

9.2 Performance

The current Community Capital Programme is detailed in Appendix 2. The appendix shows a total spend of £366,361 in 2014/15 with £77,820 of the programme deferred until 2015/16.

9.3 Capital Variances from Budget

No variances or issues concerning expenditure have arisen for this committee.

9.5 Capital Budgets Deferred to 2015/16

Schemes which have been identified as being wholly or partly deferred to 2015/16 and beyond are:

Scheme	Revised 14/15 Budget £	Budget to be Deferred £	Reason
Play Area Refurbishments	182,280	48,010	The schemes at Pinhoe and Crossmead are unlikely to be completed in this financial year
Vehicle Replacement Programme	426,000	29,000	The purchase of one van has been deferred to 2015/16

9.6 Achievements

The following schemes have been completed during the first quarter of 2014/15:

- **Play Area Refurbishments**

The Bull Meadow project has been completed and is proving very successful. The new play area at Sylvan Heights has been provided, there is some remaining budget which will fund possible future improvements at the site following further public consultation. Further safety surfacing improvements have been made at Newcourt and this project is now fully complete.

- **Refurbishment and Upgrade of Paddling Pools**

The new Splash Pad at St Thomas Pleasure Ground opened on 23 May. The City Council has replaced the old paddling pool with a brand new water splash play area that is unique to the city.

A series of water fountains, cannons and a tipping bucket now entertain children on top of a brightly coloured rubber surface. There has also been a series of general improvements in the park with an old tarmac area being replaced with freshly laid turf, ideal for picnicking families.

- **Vehicle Replacement Programme**

Exeter City Council has underlined its green credentials by purchasing a two Nissan LEAF electric cars for staff to use when out and about on official duty.

The pool cars will replace some of the Council's ageing diesel-powered vans. As well as reducing climate change emissions, moving away from diesel power reduces particulate emissions and this will help improve air quality on Exeter's streets.

10. How does the decision contribute to the Council's Corporate Plan?

Community Service budgets contribute to 3 key purposes, as set out in the Corporate Plan; keep me/my environment safe and healthy, keep place looking good, help me find somewhere to live

11. What risks are there and how can they be reduced?

Areas of budgetary risk are highlighted in this report. The key areas of budgetary risks within Community Services are attached as Appendix 3, for reference.

12. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

No impact.

13. Are there any other options?

No

Assistant Director Finance

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:

None

Contact for enquiries:

Democratic Services (Committees)

Room 2.3

(01392) 265275

**SCRUTINY COMMITTEE - COMMUNITY
BUDGET MONITORING**

APRIL 2014 TO JUNE 2014

ACTUAL TO DATE			CODE	YEAR END FORECAST		
PROFILED BUDGET	ACTUAL TO DATE	VARIANCE TO DATE		APPROVED BUDGET	CURRENT OUTTURN FORECAST	FORECAST VARIANCE
£	£	£		£	£	£
82,906	18,995	(63,911)	81A1 ENVIRONMENTAL PROTECTION	440,630	440,630	0
75,708	47,845	(27,863)	81A3 LICENCING,FOOD,HEALTH & SAFETY	387,500	382,240	(5,260)
117,987	109,237	(8,750)	81A4 PUBLIC SAFETY	822,630	825,630	3,000
387,625	328,132	(59,493)	81A6 PARKS & OPEN SPACES	2,019,450	2,019,450	0
80,948	21,498	(59,450)	81B2 CEMETERIES & CREMATORIUM	189,880	156,670	(33,210)
260,106	200,008	(60,098)	81C2 ADVISORY SERVICES	1,212,680	1,212,680	0
21,834	25,042	3,208	81C3 AFFORDABLE HOUSING DEVELOPMENT	154,150	154,150	0
(187,694)	(205,755)	(18,061)	81C4 PRIVATE SECTOR HOUSING	173,200	212,370	39,170
20,988	20,988	0	81C5 SUNDRY LANDS MAINTENANCE	83,950	83,950	0
45,260	46,364	1,104	81C9 ASSISTANT DIRECTORS	0	0	0
374,275	449,179	74,904	81D2 DOMESTIC REFUSE COLLECTION	1,981,370	1,981,370	0
145,014	127,997	(17,017)	81D4 STREET CLEANING	1,445,040	1,445,040	0
101,370	75,094	(26,276)	81D5 PUBLIC CONVENIENCES	426,750	426,750	0
(91,134)	(387,663)	(296,529)	81D6 CLEANSING CHARGEABLE SERVICES	(258,350)	(258,350)	0
96,103	110,777	14,674	81D7 EXTON ROAD OVERHEADS AND FLEET	333,030	326,770	(6,260)
89,090	207,634	118,544	81D8 RECYCLING	169,680	169,680	0
513,883	504,719	(9,164)	81E1 GF HOUSING - PROPERTY	173,590	173,590	0
2,134,269	1,700,091	(434,178)	NET EXPENDITURE	9,755,180	9,752,620	(2,560)

VARIANCES ON TRANSFERS TO / (FROM) EARMARKED RESERVES

REVENUE CONTRIBUTION TO CAPITAL

OVERALL FORECAST EXPENDITURE FOR THE YEAR AFTER MOVEMENTS TO/FROM RESERVES

REVISED BUDGETS

ADJUSTED OUTTURN VARIANCE

9,752,620

9,755,180

(2,560)

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CAPITAL MONITORING TO 30 JUNE 2014

	2014/15 Capital Programme	2014/15 Spend to 30 June	2014/15 Forecast Spend	2014/15 Budget to be Carried Forward to 2015/16 and Beyond	2014/15 Programme Variances Under ()
	£	£	£	£	£
COMMUNITY & ENVIRONMENT					
KEEP PLACE LOOKING GOOD					
Play Area Refurbishments	182,280	104,609	133,460	48,820	
Replacement of Flowerpot Skate Park	360				(360)
Flowerpot Skate Park Lighting	35,000		35,000		
Heavitree Pleasure Ground Tennis Courts	40,000		40,000		
Topsham Recreation Ground	30,490		30,490		
Refurbishment and Upgrade of Paddling Pools	27,460	25,038	27,460		
Parks Improvements	11,730		11,730		
Neighbourhood Parks & Local Open Spaces	8,020		8,020		
KEEP ME/MY ENVIRONMENT SAFE & HEALTHY					
Vehicle Replacement Programme	426,000	73,885	397,000	29,000	
HELP ME FIND SOMEWHERE TO LIVE					
Disabled Facility Grants	359,100	49,874	359,100		
Warm Up Exeter/PLEA Scheme	163,650		163,650		
Wessex Loan Scheme	15,610		15,610		
Glencoe Capital Works	3,890		3,890		
Private Sector Renewal Scheme	159,080	10,849	159,080		
WHIL Empty Properties	194,000		194,000		
The Haven	63,980	17,106	63,980		
Temporary Accommodation Purchase	300,000		300,000		
Grant to the Red House Hotel	85,000	85,000	85,000		
COMMUNITY & ENVIRONMENT TOTAL	2,105,650	366,361	2,027,470	77,820	(360)

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AREAS OF BUDGETARY RISK

The table below identifies areas that have been identified as a budgetary risk within the Community Services revenue and capital budgets.

The revenue budget areas of risk are:

Budget Title	Approved Budget	Risk
Revenue: Private Sector Housing – Income from new licensing scheme	£70,000	The introduction of a new licensing scheme for certain types of Houses in Multiple Occupation is not expected to commence until February 2015, as it is pending the end of a formal consultation period, securing Executive approval and a 10 week statutory notice period. The license fee income will therefore mostly fall into next financial year, resulting in a shortfall of budgeted income for 2014/15.
Revenue: General Fund Housing – Property	£194,920	Potential overspends in the cost of repairs to temporary accommodation including Extralet and PSL properties may occur and are subject to close monitoring by Officers. Following Executive approval on 15 July, a new Tenant Finder Service will be implemented which will place maintenance responsibilities on the landlord and help to reduce the financial burden on the Council in the future.

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REPORT TO SCRUTINY COMMITTEE - COMMUNITY

Date of Meeting: 9 September 2014

Report of: Environmental Health and Licensing Manager

Title: Local Air Quality Management, Air Quality Action Plan 2011-2016 and 2013 Air Quality Progress Report

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive

1. What is the report about?

To update Members on the council's duties relating to local air quality management and work being conducted on a Low Emissions Strategy.

2. Recommendations:

That Scrutiny Committee – Community:

- 1) note the progress on the Air Quality Action Plan; and
- 2) supports the development of a Low Emissions Strategy to fulfil air quality objectives and to reduce health effects of poor air quality; and
- 3) supports wide stakeholder consultation in the Low Emissions Strategy commencing 01 September 2014.

3. Reasons for the recommendation:

Action on local air quality is a legal duty placed upon the Council by the Environment Act 1995 – Part IV, and safeguarding air quality will help reduce any detrimental effects from air pollution on the health and wellbeing of Exeter's population.

The effects of local air pollution on health are undisputed, with the young, the elderly and those with existing medical conditions being particularly vulnerable. A recent estimate is that the equivalent of 42 lives per year could be saved in the city, if particulate air pollution (these are minute particles suspended in the air, e.g. from tail pipe emissions, brake dust, industry and in some cases the natural environment) were removed altogether.

In Exeter, the main source of local air pollution is from traffic. The areas most affected are those beside busy roads with queuing traffic, where the houses are close to the kerbside. Those that live in these specific areas are more affected by poor air quality.

Measures to improve air quality require action by the travelling public, businesses, Devon County Council (as the Highways Authority) as well as by Exeter City Council. A successful engagement with stakeholders and increasing the profile of traffic-related air pollution as a localised issue of concern, will be important in determining the effectiveness of any measures implemented

4. What are the resource implications including non financial resources.

The second Air Quality Action Plan and management of the Low Emissions Strategy project will be delivered within existing resources. Funding has been successfully bid for and obtained from DEFRA for the delivery of the Low Emissions Strategy.

5. Section 151 Officer comments:

None – funding has been received from DEFRA

6. What are the legal aspects?

The Environment Act 1995 – Part IV places a duty on Local Authorities to review and assess air quality in their area, and to take action where pollution levels exceed objectives. The EU has now commenced legal action against the UK for breaches of the objectives, and Central Government could pass any resulting fines to Local Authorities; it is not clear at this stage how this would be formulated.

7. Monitoring Officer's comments:

The (Deputy) Monitoring Officer had no comments to add.

8. Report details:

The City Council compares measured levels of pollution to EU objectives every year. The objectives define the concentration below which significant risk to public health are unlikely. The 2014 Air Quality Progress Report contains the 2013 data. This concludes that concentrations of all local pollutants are stable, or possibly decreasing slightly. The 2014 Air Quality Progress Report can be viewed on the air quality pages of the council's website.

Exeter City Council declared an Air Quality Management Area (AQMA) in 2007 (amended 2011) because levels of nitrogen dioxide (NO₂) exceeded objective levels at some locations. The area covers all of the main traffic routes in the city. Concentrations of NO₂ are highest beside busy roads and studies have shown traffic emissions along congested routes are the main cause.

The City Council has a duty to produce an Air Quality Action Plan (AQAP) to identify measures that will work towards resolving the exceedence of the air quality objectives within the Air Quality Management Area. Exeter's Air Quality Action Plan was updated in 2011. The measures within the plan are proportionate to the funding and resources available and acknowledge the significant upward pressures on NO₂ emissions which will result from proposed growth and development in the greater Exeter area. The Plan's four objectives are shown below, with supporting text:

- 1 To describe the impact of predicted growth and existing plans on NO₂ concentrations within the Air Quality Management Area.
 - Current plans and policies are expected to have a low positive impact on air quality, although there is some uncertainty associated with this. This is a modest

predicted change, but should be set against the background of significant development in the city and therefore significant upward pressure on emissions.

- 2 To identify where further improvements are required, how these could be achieved and where multiple benefits can be realised.
 - The Council obtained a DEFRA grant for establishing a Low Emission Strategy. This project will be completed in February 2015 and has the following strategic aims:
 - a) To integrate low emission strategies into mainstream policy development for transport and planning within Exeter and to influence policy in the greater Exeter area.
 - b) To reduce emissions from the Council-owned fleet and grey fleet, including by increased uptake of low emission vehicles.
 - c) To work with partners in the private and public sectors to increase the uptake of sustainable transport choices, including low emission vehicles within the greater Exeter area.
 - The Council will make closer links between air quality and climate change work, to recognise multiple benefits.
 - It is important that the negative health impacts of poor air quality are better understood and communicated locally.
- 3 To provide a process for assessing the air quality aspect of the sustainability of future plans and policies.
- 4 To provide tools to engage local communities in air quality issues alongside wider sustainability issues.

Progress in implementing the Air Quality Action Plan is reported on annually in an Air Quality Action Plan Progress Report. The 2014 report, which describes progress during 2013 is available on the air quality pages of the council's website:

<http://www.exeter.gov.uk/index.aspx?articleid=15176>

This report shows that progress with implementation of the AQAP is generally good, with this to continue through 2014. It is worth noting that during the last ten years, peak time traffic levels have decreased, although it is not possible to categorically link cause and effect between this and any air quality improvement. This situation will be kept under review in future years.

The Low Emissions Strategy project started in January 2014. So far, models have been produced of current baseline emissions and emissions in 2018. These will be used to test scenarios and assess the impact of potential actions. Six stakeholder meetings and a steering group workshop have identified a range of actions which will be considered for inclusion in the final strategy.

Initial consultation on the Strategy options will begin on 1 September 2014, by means of an online survey. The Council hopes to engage with residents groups and businesses by means of targeted publicity at specific groups, as well as a general press release. This is seen as the first step in raising awareness of air pollution as a localised problem, and so

Environmental Health and Licensing intend to obtain as wide coverage of this consultation as possible. A more detailed consultation on the draft strategy will take place later in the autumn.

9. How does the decision contribute to the Council's Corporate Plan?

The main contribution of effective management of air quality is to support the purpose of Keep me / my environment safe and healthy and building a stronger city. However in achieving this, it is necessary to proactively engage with other key purpose areas that could be affected by or through poor air quality. These include working with developers through the planning system to deliver good development including infrastructure, and working with business to run a successful business to ensure that any emissions to air that they may produce are kept within legal limits.

10. What risks are there and how can they be reduced?

Various risks have been identified to the successful implementation of the Air Quality Action plan and development of the Low Emissions Strategy. These include failure to engage with partners and, the impact of development in the greater Exeter area on traffic levels. These risks are monitored as part of the Low Emissions Strategy project management, and changes to the Action Plan can be made as appropriate.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

Areas with high levels of air pollution also tend to be relatively deprived. This means that more deprived populations are disproportionately affected. There is also a higher incidence amongst deprived populations of the types of diseases that are exacerbated by poor air quality. Thus the most vulnerable members of society are often worst affected by air pollution. The actions described in this report work to reduce the health impacts of poor local air quality.

12. Are there any other options?

Action to reduce local air pollution where levels exceed the government objectives is a legal duty.

Assistant Director Environment

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 2.3
01392 265275

REPORT TO SCRUTINY COMMITTEE - COMMUNITY

Date of Meeting: 9 September 2014

Report of: Environmental Health and Licensing Manager

Title: Review of the Council's Contaminated Land Strategy

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

To update Members on the review of the Council's Contaminated Land Strategy, and forthcoming consultation.

2. Recommendations:

That Scrutiny Committee – Community:

- 1) note the draft revised Contaminated Land Strategy; and
- 2) support the consultation on the draft revised strategy.

3. Reasons for the recommendation:

The City Council first published its Contaminated Land Strategy in 2001. Since then, there have been changes to the legislation and statutory guidance, and the strategy has been updated to reflect these. The Council is undertaking consultation on the draft strategy, specifically involving the Environment Agency, Devon County Council, neighbouring authorities, Natural England and Public Health England.

The draft revised strategy is attached in Appendix 1.

4. What are the resource implications including non financial resources.

The revised Contaminated Land Strategy will be implemented within existing resources. The Strategy explains how the Council, in its approach to land contamination will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals, where it is reasonable and practicable to do so.

5. Section 151 Officer comments:

There are no financial implications.

6. What are the legal aspects?

Section 57 of the Environment Act 1995 created Part 2A of the Environmental Protection Act 1990 ("Part 2A") which establishes a legal framework for dealing with contaminated land in England. Part 2A requires that local authorities cause their areas to be inspected with a view to identifying contaminated land, and to do this in accordance with published Statutory Guidance.

The Statutory Guidance was updated in 2012. It requires that local authorities should take a strategic approach to carrying out their inspection duties. This approach should be rational, ordered and efficient, and it should reflect local circumstances. The local authority should set out its approach as a written strategy, which it should formally adopt and publish to a timescale to be set by the authority.

The local authority should keep its written strategy under periodic review to ensure it remains up to date. It is for the authority to decide when its strategy should be reviewed, although as good practice it should aim to review its strategy at least every five years.

7. Deputy Monitoring Officer's comments:

I have nothing further to add to those already contained in the report.

8. Report details:

In the revised strategy which covers the period from 2014 to 2019, the Council sets out:

- its aims, objectives and priorities, taking into account the characteristics of its area;
- the relevant aspects of the Exeter area;
- its approach to strategic inspection, the prioritisation of detailed inspection and remediation activity;
- how Part 2A fits with its broader approach to dealing with land contamination, using other legislation, voluntary remediation or as part of wider regeneration work; and
- how in its approach to Part 2A and land contamination, the Council will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals, where it is reasonable and practicable to do so.

The Council is undertaking consultation on the draft strategy, specifically involving the Environment Agency, Devon County Council, neighbouring authorities, Natural England and Public Health England. Consultation will commence on 1 September 2014 and last 6 weeks.

9. How does the decision contribute to the Council's Corporate Plan?

The main contribution of effective management of contaminated land is to support the purpose of Keep me / my environment safe and healthy and building a stronger city. In achieving this, it is necessary to work with developers through the planning system to deliver good development.

10. What risks are there and how can they be reduced?

Risks associated with the failure to manage contaminated land include risks to the population of Exeter, those working in the city, and risks to the environment. There is also a reputational risk to the Council if it fails to act in a reasonable manner. Failure to make a reasoned judgement on contaminated land could result in legal action or insurance claims,

particularly in the case of land owned by the Council, or poor risk assessment decisions made by Council officers.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

Land contamination has the potential to affect the health, safety and wellbeing of residents or those using the site. It can also cause harm to the environment. Effective management of land contamination involves understanding these risks, and delivering mitigation where assessment identifies that this is necessary, reasonable and practical.

12. Are there any other options?

Adoption of a Contaminated Land Strategy is a legal duty.

Assistant Director Environment

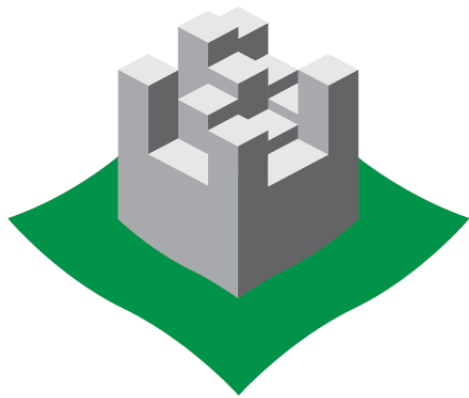
Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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Exeter
City Council

Environmental Health and Licensing

Contaminated Land Strategy

2014 - 2019

Consultation Draft

Introduction

Section 57 of the Environment Act 1995 created Part 2A of the Environmental Protection Act 1990 ("Part 2A") which establishes a legal framework for dealing with contaminated land in England. Part 2A defines "contaminated land" as follows:

"contaminated land" is any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land that –

- (a) significant harm is being caused or there is a significant possibility of such harm being caused; or
- (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused. (Section 78A(2))

"Harm" means harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, includes harm to his property. (Section 78A(4))

Under Part 2A the Secretary of State issues Statutory Guidance on how local authorities should determine which land is contaminated land and which is not. Land which has been determined can be further designated as a Special Site, from which point regulation becomes the responsibility of the Environment Agency. (A Special Site is defined in The Contaminated Land (England) Regulations 2006 as one which is affecting controlled waters in certain specific circumstances, or where a particular range of activities have caused the contamination).

The Statutory Guidance also provides further information on the duty of local authorities to inspect their areas with a view to identifying contaminated land. It describes two broad types of "inspection":

(a) strategic inspection, for example collecting information to make a broad assessment of land within an authority's area and then identifying priority land for more detailed consideration; and

(b) carrying out the detailed inspection of particular land to obtain information on ground conditions and carrying out the risk assessments which support decisions under the Part 2A regime relevant to that land.

Exeter City Council (the Council) first published a Contaminated Land Strategy in 2001. This document has been revised and updated to reflect the current guidance and context. In it, the Council sets out:

- Its aims, objectives and priorities, taking into account the characteristics of its area;
- The relevant aspects of the Exeter area;
- Its approach to strategic inspection, the prioritisation of detailed inspection and remediation activity;

- How Part 2A fits with its broader approach to dealing with land contamination, using other legislation, voluntary remediation or as part of wider regeneration work; and
- How in its approach to Part 2A and land contamination, the Council will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals, where it is reasonable and practicable to do so.

This is the consultation draft of the revised Strategy. Consultation will take place with the following bodies:

- Environment Agency;
- Teignbridge District Council;
- East Devon District Council;
- Mid Devon District Council;
- Natural England;
- Devon County Council; and
- Public Health England.

A draft will also be placed on the City Council's website for public consultation.

The strategy will be reviewed in light of any consultation responses and published in 2014. It will be reviewed again following any significant changes to legislation or guidance, or five years after adoption, whichever is the sooner.

Terminology

Some general aspects of terminology used in this Strategy are:

“contaminated land” is used to mean land which meets the Part 2A definition of contaminated land. Other terms, such as “land affected by contamination” or “land contamination”, are used to describe the much broader categories of land where contaminants are present but usually not at a sufficient level of risk to be contaminated land.

“Part 2A” means Part 2A of the Environmental Protection Act 1990 (as amended).

The terms **“contaminant”**, **“pollutant”** and **“substance”** as used in this Strategy have the same meaning – i.e. they all mean a substance relevant to the Part 2A regime which is in, on or under the land and which has the potential to cause significant harm to a relevant receptor, or to cause significant pollution of controlled waters.

“unacceptable risk” means a risk of such a nature that it would give grounds for land to be considered contaminated land under Part 2A.

“the Council” means Exeter City Council.

“leaching” is the process by which contaminants are released from the soil into groundwater or water in soil pores. How much contamination is released will depend on a variety of factors such as soil type, type of contaminant, soil conditions etc.

“source” is used to mean land contamination that may be present on or under a site.

“pathway” is used to describe how contamination may reach a receptor from the source area, for example by ingestion of contaminated soil, or by leaching of contamination from the soil into groundwater.

A **“receptor”** is someone or something that may be adversely affected by contamination, for example site occupants, organisms living in a stream, historic monuments etc.

Exeter City Council's Aims, Objectives and Priorities

- **To identify and remove unacceptable risks to human health and the environment**

The Council's starting point will be that land is not contaminated land unless there is reason to consider otherwise. Only land where unacceptable risks are clearly identified, after a risk assessment has been undertaken in accordance with the Statutory Guidance, will be considered as meeting the Part 2A definition of contaminated land.

The Council may need to decide whether and how to act in situations where such decisions are not straightforward, and where there may be unavoidable uncertainty underlying some of the facts of each case. In so doing, the Council will use its judgement to strike a reasonable balance between:

- (a) dealing with risks raised by contaminants in land and the benefits of remediating land to remove or reduce those risks; and
- (b) the potential impacts of regulatory intervention including financial costs to whoever will pay for remediation (including the taxpayer where relevant), health and environmental impacts of taking action, property blight, and burdens on affected people.

- **To seek to ensure that contaminated land is made suitable for its current use**

The Council will take a precautionary approach to the risks raised by contamination, whilst avoiding a disproportionate approach given the circumstances of each case. The aim will be to consider the various benefits and costs of taking action, with a view to ensuring that the intervention produces net benefits, taking account of local circumstances in each case.

- **To ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable and compatible with the principles of sustainable development**

The Council will take a strategic approach to carrying out its inspection duty. This approach will be rational, ordered and efficient, and it will reflect local circumstances in Exeter. It is set out in this Strategy, which has been formally adopted and published. The Strategy will be kept under periodic review to ensure it remains up to date, especially in the event of changes to the Statutory Guidance. The Council will aim to review the Strategy at least every five years.

The Council will seek to minimise unnecessary burdens on the taxpayer, businesses and individuals; for example by encouraging voluntary action to deal with land contamination issues as far as it considers reasonable and practicable. This will involve taking a broader approach to dealing with land contamination including through the planning system. The Council will seek to use Part 2A only where no appropriate alternative solution exists.

A Description of Relevant Aspects of Exeter City Council's Area

Exeter is a compact city of 4774 hectares largely constrained by hills. The topography of the city and surrounding countryside form three distinct zones. There are ridges of high ground in the north with steep-sided river valleys, then a central zone of gentle south and east-facing slopes and thirdly the flood plain of the River Exe which forms a level tract across the district from the west, towards the estuary in the south east. Specific characteristics of the city will be discussed below under the headings of Sources, Pathways and Receptors.

Contamination Sources

The first recognised settlement at Exeter was a fortress housing the 2nd Augusta Legion constructed in c. 50 A.D. on a spur overlooking the river. From that start, Exeter has grown into the regional capital, expanding to include surrounding villages and farmsteads.

At first, industrial activity consisted mainly of small-scale cottage or “back yard” establishments serving local needs but the growth of the Devon woollen industry meant that by the 17th and 18th centuries Exeter's commerce and industry was of national prominence. The city's early industrial heritage from this time includes the quay area, mills and Exeter Ship Canal.

Into the 19th century, Exeter maintained an industrial base fit to serve its population and its large, mainly agricultural, hinterland. Development focussed around the expansion of the canal and the coming of the railways with the growth of industrial areas to the west of the river, near the canal basin and railway. However Exeter did not develop into a significant industrial base during the Industrial Revolution

During the Second World War around 38 acres of developed land was damaged by bombs. After the war, planned major reconstruction included the relocation of employment uses to the Marsh Barton, Sowton and Pinhoe industrial estates on the periphery of the City and the construction of the Western Way inner bypass. Subsequent development has been focussed on commercial investment with the construction of shopping centres, offices and warehouse buildings rather than large-scale industry.

Construction materials have been extracted and produced in Exeter throughout its history, including quarrying of volcanic stone at Rougemont and red breccia from eastern Heavitree. Local clays and brickearth have been quarried for brick and tile production, pottery and to make clay moulds and vessels for use in local industrial processes. With the building boom of the 18th and 19th Centuries, large clay pits and brickworks opened to the east of the City. Many of these former pits were subsequently filled, either with brickworks waste or refuse.

Small and medium scale industry has therefore been present since the Roman period. Known former land uses that have the potential to cause contamination include; gasworks, slaughterhouses, brickworks, foundries, railway land, landfill

sites, tanneries, Ministry of Defence land, sewage treatment plants, petrol filling stations and timber treatment yards.

‘Background’ and ‘Normal’ Levels of Contamination

Natural geology and common, widespread human activities have resulted in levels of contamination which can be considered as ‘normal’ or ‘background’ for a certain area. The British Geological Survey’s project on Normal Background Concentrations of Contaminants includes central Exeter within the urban domains for background levels of Benzo a Pyrene, Mercury, Cadmium, Copper and Lead. Areas of mineralisation domains are located within the city boundary for nickel, copper and arsenic.

Pathways

Contamination pathways, or routes by which contamination can move in the subsurface are affected by the underlying soils, geology and hydro-geology. In Exeter, the oldest solid formations are located in the north, with younger units overlying towards the south and east. Figure 1 summarises the main units.

The oldest rocks are Late Carboniferous folded shales and subordinate thin beds of hard sandstone which form part of the Culm Measures and are known locally as the Crackington Formation. Overlying these in the central and southern parts of the City area are Late Permian New Red Sandstones. The lowest beds are the fine clayey sands of the Whipton Formation which are succeeded by the Alphington and Heavitree breccias. These breccias consist of gravel fragments of a variety of rock types including sandstone, slate, vein quartz and igneous debris in a matrix of red, silty or clayey sand. A small area of Dawlish Sandstone is included within the east of the city.

In three places along the boundary between the Crackington Formation and Whipton Formation are small outcrops of volcanic lava known as "Exeter Traps" or in more recent terminology as the Exeter Volcanic Rocks. One such outcrop forms the high ground on which Rougemont Castle stands.

Groundwater flow within the Crackington Formation and the Breccias is mainly fissure and fracture-borne. The Dawlish Sandstone flow mechanisms are intergranular and fracture flow and they tend to be highly permeable.

Soils developed on the Crackington Formation are mostly of clay with a variable proportion of fragments of hard sandstone. In many places the bedrock is covered by up to 2m or more of Head, which is weathered rock debris, including clay, silt sand and fragments of shale and sandstone. Soils over the New Red Sandstone units are mostly sandy or gravel rich loams and commonly red-brown in colour. Again, up to 2m or more of Head can cover the bedrock. The modern channel of the River Exe is surrounded by deposits of alluvium, commonly silt, clay and sand with some peat in places, and resting on coarse gravel. Eight elevated gravel river terrace deposits have been identified.

The British Geological Survey have classified the soils under the majority Exeter as having a high leaching potential. In some places, this is based on the fact that soil information is generally poor and so a worst case vulnerability classification is assumed. It is likely that the clay soils above the Crackington Formation in particular will not effectively have such a high leaching potential. Site investigations in some parts of the breccias have also found a continuous clay layer at the top of the bedrock which constrains the groundwater beneath.

The Dawlish Sandstones are overlain by soils with a high or intermediate leaching potential with little ability to attenuate diffuse source pollutants and in which non-absorbed pollutants and liquid discharges have the potential to move rapidly to underlying strata or to shallow groundwater.

Receptors

The urban area of Exeter originally consisted of the land within the old city walls, where most properties represented both trade and residential uses. From the 19th Century the city began to develop residential quarters, for example, at Newtown, Mount Pleasant, St Thomas and lower Pennsylvania. This accelerated in the twentieth Century, particularly between the wars, with demand growing for improved housing with larger gardens along the radial routes into the City. At this time many of the City's slum dwellers were rehoused in newly built council housing estates on the edge of the city at Stoke Hill, Countess Wear, Whipton Barton and Redhills. However, in the 1990s and 2000s greater emphasis was placed upon reusing 'brownfield land' rather than new Greenfield development. This returned residential receptors to areas of close proximity to potential contamination sources.

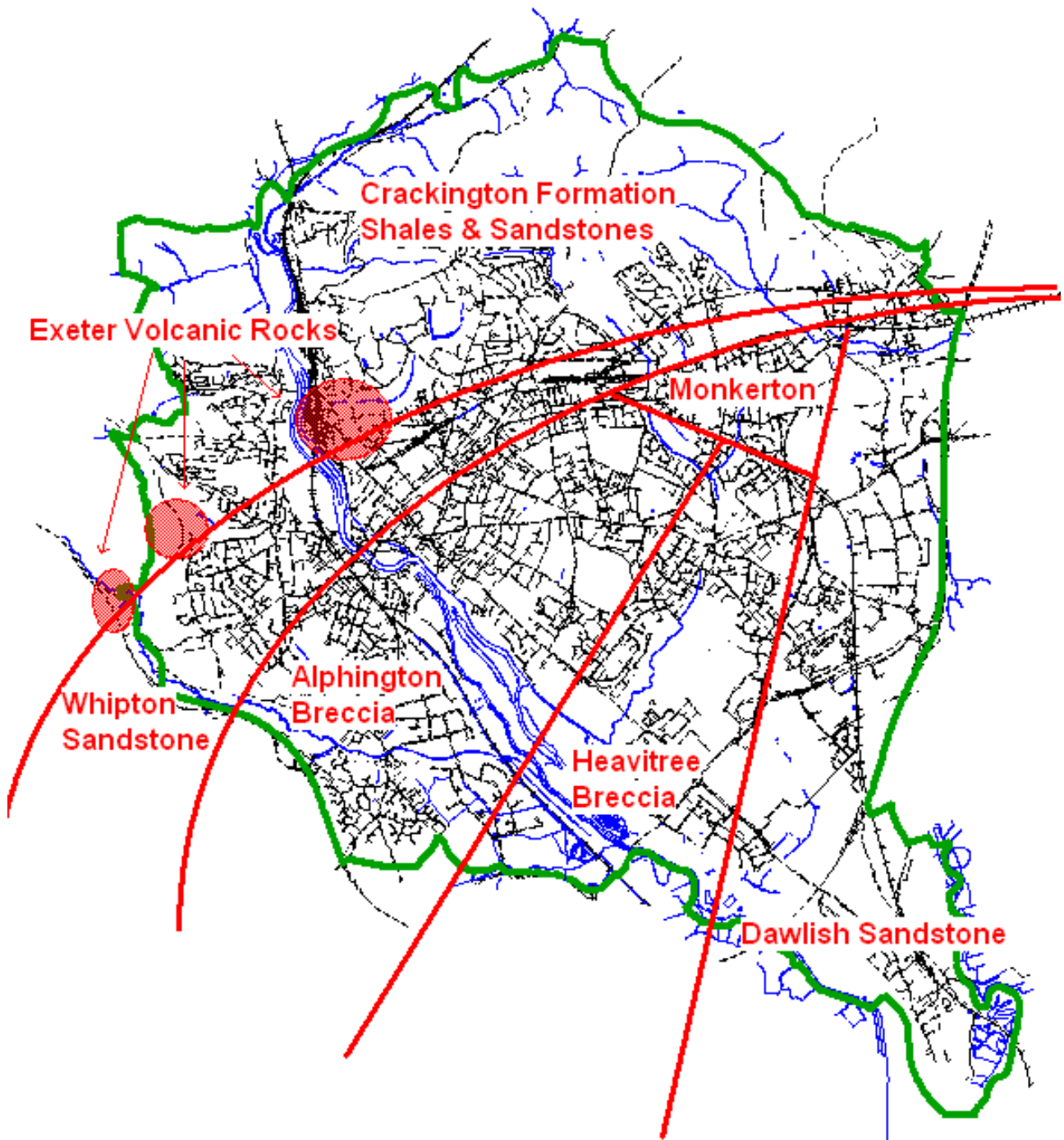
Approximately 1735 hectares of land, 36.8% of the City's area, is designated as 'Green Areas.' This includes designated Valley Parks, with open public access, which make up 4% of the city area, approximately 40 hectares of allotment sites, and over 100 hectares of parks and play areas.

Exeter contains a rich variety of wildlife habitats. This is due to a combination of geology/topography and geography. The Exe Estuary is designated as an internationally important wetland area under the RAMSAR Convention on Wetlands and also as a Special Protection Area under the E.C. Birds Directive. There are three SSSIs in Exeter, the Exe Estuary, Stoke Woods and Bonhay Road and a proliferation of SNCIs which have nature conservation value at a regional/county and City level and SLINCS which are important at the City level.

Exeter contains 20 Scheduled Monuments (SMs) designated under the Ancient Monuments and Archaeological Areas Act 1979 and the central area of the City is designated as an Area of Archaeological Importance (AAI).

Aquifer classification of the rocks beneath the city is shown in Table 1. The water supply for the City is taken from the River Exe but this is at a point outside the Council boundary. There is one private water supply in the City used for drinking water. This takes water from the Exeter Canal and is used for commercial/residential supply. It is regulated and maintained in accordance with the Private Water Supply Regulations 2009.

Figure 1 Exeter's Solid Geology



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Table 1 Aquifer Classification

Unit	Classification	Description
Culm Measures (Crackington Formation)	Secondary A bedrock aquifer	Permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers.
New Red Sandstones (Permian Sandstones)	Secondary A bedrock aquifer and named in Schedule 2, Regulation 3(c) of the Contaminated Land Regulations 2000.	Permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers. And Sites underlain by these strata may, depending on the nature of the contamination present, be classified as Special Sites.
Dawlish Sandstone	Principal Bedrock Aquifer and named in Schedule 2, Regulation 3(c) of the Contaminated Land Regulations 2000.	These are layers of rock deposits that have high intergranular and/or fracture permeability, meaning they usually provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. And Sites underlain by these strata may, depending on the nature of the contamination present, be classified as Special Sites.
Alluvium and head deposits	Secondary A superficial aquifer	Permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers.
Estuary tidal flats	Undifferentiated secondary superficial aquifer	This classification is assigned in cases where it has not been possible to attribute either category A or B to a rock type.

Land ownership

The Council owns between 15 and 20% of the land area of the City. Most of the valley parks and playing fields are in Council ownership, including some that were formerly landfill sites. The Council holds the freeholds for much of the city centre which was damaged as a result of the blitz and significant parts of the Marsh Barton and Exhibition Way Trading Estates. This means that the Council is the owner of some of the potentially contaminated sites in the city. The Council has also retained its own housing stock and so is a significant land owner in some residential areas of the city.

Devon County Council owns a number of educational sites in the city and the University of Exeter and Royal Devon and Exeter Healthcare Trust are also significant land owners.

Future Developments, Planning Context and Sustainable Development

Exeter is currently growing rapidly, with significant urban extensions planned to the east and south-east of the city. These will result in a 50% increase in population of greater Exeter by 2026. Masterplans for these areas envisage mixed use development, incorporating small scale commercial uses and some areas of light industrial/warehouse uses amongst predominantly residential land uses. Formal and informal public open space, play areas and allotments will be included.

Many of these developments will be on greenfield land, with only agricultural former uses (although these can represent potential contamination sources). Some exceptions to this are the Newcourt development area which is partly located on former MOD land and the Harrington Lane developments on a former brickworks and claypit. Additional windfall sites which come forward may also be on previously developed land.

Development Management decisions on these sites (including issues related to land contamination) are to be made in accordance with the principles of sustainable development, the adopted Core Strategy and the National Planning Policy Framework. These will, as a minimum, ensure that developed land cannot be determined as contaminated land under Part 2A.

The Local Development Framework is not currently expected to include any specific planning documents relating to contaminated land. Instead, the Core Strategy DPD which was adopted in 2012 contains policies which aim to:

- Provide everyone in the community with the opportunity of living in a decent warm home of a suitable type, size and tenure for their needs, supported by the local community facilities they require, by making full and efficient use of previously developed land and delivering sustainable urban extensions to the east and southwest in co-operation with adjoining authorities.
- Promote development that contributes to a healthy population - by implementing the Green Infrastructure Strategy and ensuring that environmental quality and air quality is protected and enhanced.

The Development Management DPD will provide greater detail on how these will be implemented and what 'sustainable development' means locally. It will be published in late 2014.

Health and Economic Status

Exeter is a relatively prosperous and economically attractive city. The economy supports around 86,000 jobs and 4,500 businesses and has out-performed much of the rest of the south-west region in recent years. There are however pockets of deprivation, with small parts of the city being in the 10% most deprived areas of the country. Overall Exeter is also a healthy city, but people living in its more disadvantaged areas have comparatively poor health, as indicated by incidence of chronic illness and lower life expectancy. No specific health impacts associated with land quality have been identified.

Strategic Inspection

Strategic inspection involves collecting information to make a broad assessment of land within an authority's area and then identifying priority land for more detailed consideration. The Council will prioritise land which it considers most likely to pose the greatest risk to human health or the environment, recognising that all soils contain substances which could be harmful to such receptors, but in the very large majority of cases the level of risk is likely to be very low. For this purpose, "risk" will be taken to mean the combination of:

- (a) the likelihood that harm, or pollution of water, will occur as a result of contaminants in, on or under the land; and
- (b) the scale and seriousness of such harm or pollution if it did occur.

If the Council identifies land where it considers there is a reasonable possibility of unacceptable risk it will undertake detailed inspection of the land to obtain sufficient information to decide whether it is contaminated land, subject to the Council's prioritisation of sites for detailed inspection.

If at any stage the Council considers, on the basis of information obtained from inspection activities, that there is no longer a reasonable possibility that a significant contaminant linkage exists on the land, it will not carry out any further inspection in relation to that linkage. In some cases the process of strategic inspection, including prioritisation of detailed inspection activities, may give rise to property blight issues. The Council will seek to minimise or reduce such potential blight as far as it considers reasonable. Notwithstanding the above, strategic inspection of sites will be reviewed where appropriate in the event of significant changes to legislation or guidance, or relevant new information becoming available.

When undertaking strategic inspection, the Council will consider potential sources, pathways and receptors in a rational, ordered and efficient manner. A repeatable, transparent, and risk-based methodology will be used, based upon any identified pollution linkages and having regard to good practice guidance. Strategic Inspection will form part of a robust decision-making process which complies with Part 2A and the Statutory Guidance. IT and GIS systems will be used to undertake and document the process.

However the Council will not investigate potentially contaminated land solely using Part IIA. It is envisaged that the planning and building control systems will be used in the majority of occasions to ensure land is made suitable for use when it is redeveloped, and/or to encourage land owners to deal with problematic land as part of wider regeneration work. This broader approach may include encouraging polluters/owners of land affected by contamination to deal with problems without the need for Part 2A to be used directly. Other approaches used may also include the regimes for waste, water, and environmental permitting; and the Environmental Damage (Prevention and Remediation) Regulations 2009.

Progress with Strategic Inspection since Publication of the 2001 Strategy

Since 2001, the Council has identified over 1200 sites where there may be contamination sources, with initial information on potential pathways and receptors for all of these. The Council has detailed information on potential pollutant linkages for some of these sites, either where strategic inspection has progressed as a result of sites being higher up the prioritisation list, or where information has come forward as part of the planning process.

Strategic Inspection 2014 - 2019

There is a continued need to seek further information on potential pollutant linkages, in order to refine the prioritisation of sites for detailed inspection, until the point where it becomes clear that land is not contaminated. The Council will progress this work, in accordance with the principles outlined above, during the next five years.

The Council will also, in 2014/15, be upgrading its contaminated land database system. This will provide a more user friendly system, with improved audit facilities to show what changes have been made to prioritisation, when and by whom.

Detailed Inspection and Remediation Activity

The Council will undertake detailed inspection of land to obtain information on ground conditions and to carry out risk assessments to support decisions under the Part 2A regime. As with strategic inspection, the Council will focus on land which might pose an unacceptable risk and consider risk as the combination of:

- (a) the likelihood that harm, or pollution of water, will occur as a result of contaminants in, on or under the land; and
- (b) the scale and seriousness of such harm or pollution if it did occur.

The Council will use risk assessment to make robust decisions, having regard to good practice guidance and based on information which is:

- (a) scientifically-based;
- (b) authoritative;
- (c) relevant to the assessment of risks arising from the presence of contaminants in soil; and
- (d) appropriate to inform regulatory decisions in accordance with Part 2A, the Statutory Guidance and local circumstances.

The timing of detailed inspection will be subject to the Council's prioritisation following strategic inspection. If at any stage the Council considers, on the basis of information obtained from inspections, that there is no longer a reasonable possibility that a significant contaminant linkage exists on the land, it will not carry out any further inspection in relation to that linkage.

Where the Council carries out any intrusive investigation, it will do so in accordance with appropriate good practice technical procedures for such investigations.

When deciding whether a site meets the definition of Contaminated Land, the Council will also have regard to the financial costs to whoever will pay for remediation (including the taxpayer where relevant), health and environmental impacts of taking action, property blight, and burdens on affected people. All decisions made will be rational, ordered, efficient and fully documented.

Liaison with Landowners and Powers of Entry

The Council will consult the landowner before inspecting the land unless there is a particular reason why this is not possible, for example because it has not been possible to identify or locate the landowner. The Council will be open to moves by the landowner (or some other interested party) to help resolve the status of the land themselves. For example, the Council may decide that the land is, or is not, contaminated land on the basis of information provided by the land owner or other interested party, provided the Council is satisfied with the robustness of the information.

Where the owner refuses access, or the landowner cannot be found, the authority will consider using statutory powers of entry. Before doing so, the Council will first satisfy itself that there is a reasonable possibility that a significant contaminant

linkage may exist on the land and will comply with the requirements of the legislation and the Statutory Guidance.

Special Sites and Detailed Inspection by the Environment Agency

If the Council identifies land which it considers (if the land were to be determined as contaminated land) would be likely to be designated as a special site, it will consult the Environment Agency and, subject to the Agency's advice and agreement, arrange for the Agency to carry out any intrusive inspection of the land on its behalf. If necessary, the Council will authorise a person nominated by the Agency to exercise the powers of entry conferred by section 108 of the Environment Act 1995. The Agency will be expected to carry out any intrusive investigations in accordance with appropriate good practice technical procedures for such investigations.

It should be noted that where the Environment Agency carries out an inspection on behalf of the Council, the Council's regulatory functions under Part 2A and the Statutory Guidance remain the Council's sole responsibility. The Agency should advise the Council of its findings in order to enable the Council to carry out these responsibilities.

Using External Expertise during Detailed Inspection

The process of detailed inspection and risk assessment in complex cases may raise issues which are beyond the expertise of any one person. There may be little need to consult others in cases where risks are clearly high or low or where the authority has sufficient internal expertise, but in more complex cases the Council will consider whether to bring in external expertise. The person(s) consulted will depend on the circumstances of the land, and the expertise required and could include other relevant experienced practitioners from Local Authorities or specialist consultants. When choosing to consult, the Council will strive as far as possible to ensure that the person consulted is appropriately qualified and competent to undertake the work.

The Council will be mindful that although external experts may advise on regulatory decisions under the Part 2A regime, the decisions themselves remain the Council's sole responsibility.

Normal Levels of Contamination

The Statutory Guidance is clear that normal levels of contaminants in soil should not be considered to cause land to qualify as contaminated land, unless there is a particular reason to consider otherwise. Therefore, if it is established that land is at or close to normal levels of particular contaminants, it should usually not be considered further in relation to the Part 2A regime. The Council will have regard to the relevant paragraphs of the Statutory Guidance when considering normal levels of contamination and local circumstances.

Recognising and Handling Uncertainty

The Council understands that all risk assessments of potentially contaminated land will involve uncertainty, for example scientific uncertainty over the effects of substances, or assumptions about exposure to substances. When undertaking detailed inspection, the Council will recognise uncertainty and seek to minimise it as far as is relevant, reasonable and practical. Despite this, uncertainty is likely to remain and the Council will be aware of the assumptions and estimates that underlie the risk assessment, and the effect of these on its conclusions.

The Statutory Guidance says that:

‘the uncertainty underlying risk assessments means there is unlikely to be any single “correct” conclusion on precisely what is the level of risk posed by land, and it is possible that different suitably qualified people could come to different conclusions when presented with the same information. It is for the [Council] to use its judgement to form a reasonable view of what it considers the risks to be on the basis of a robust assessment of available evidence in line with this Statutory Guidance’.

Remediation Activity

During detailed inspection, and when determining whether land meets the definition of “contaminated land”, the Council may consider the likely direct and indirect health benefits and impacts of remediation. This could include any risks from contaminants being mobilised during the works, stress-related health effects, and whether the benefits would outweigh the social, financial and economic costs. The Statutory Guidance explains that such an assessment does not need to be a quantified or detailed cost-benefit or sustainability analysis. Rather the Council should make a broad consideration of factors it considers relevant to achieving the aims of Part 2A, the Statutory Guidance and this Strategy.

Once land has been determined, the enforcing authority must consider how it should be remediated and, where appropriate, issue a remediation notice to require such remediation. (The enforcing authority for the purposes of remediation may be the Council, or the Environment Agency, if the land is deemed to be a “special site”).

The Council will have regard to the relevant provisions of Part 2A, the Statutory Guidance and its own aims and objectives within this Strategy when it is:

- (a) deciding what remediation action it should specify in a remediation notice;
- (b) satisfying itself that appropriate remediation is being, or will be, carried out without the service of a notice; or
- (c) deciding what remediation action it should carry out itself.

Progress with Detailed Inspection and Remediation since Publication of the 2001 Strategy

Since 2001, the Council has undertaken detailed inspection of 13 sites within its ownership. This has not identified that any meet the Part 2A definition of

“contaminated land” although some remediation has been undertaken at Mincinglake Valley Park and additional information is required regarding certain pollutant linkages on that site.

The Council has been consulted about voluntary detailed inspection of three sites by the land owners. In two of these cases voluntary remediation was subsequently undertaken. Investigation is continuing at the other site. The Council is aware of voluntary remediation at a further four sites in the city, but was not consulted upon the works.

The current database system does not allow the Council to quantify the number of sites where detailed inspection has been conducted as part of the planning process, and whether these have required remediation. Consultation on such sites certainly makes up the significant majority of the contaminated land workload however. When the Council updates this database system, this information will be kept for future work.

Detailed Inspection and Remediation 2014 - 2019

The Council currently only has plans to undertake further detailed inspection at Mincinglake Valley Park. Detailed Inspection at any site will be undertaken in accordance with the principles outlined above.

The Council will continue to review detailed assessment and remediation works undertaken voluntarily, or through the planning process. The forthcoming upgrade to the contaminated land database system will allow this work to be more accurately recorded and quantified.

If at any stage the Council considers, on the basis of information obtained from inspection activities, that there is no longer a reasonable possibility that a significant contaminant linkage exists on the land, it will not carry out any further inspection in relation to that linkage. Notwithstanding the above, detailed inspection of sites will be reviewed where appropriate in the event of significant changes to legislation or guidance, or relevant new information becoming available.

Risk Summaries, Communication and Documentation

Part 2A Documentation

Part 2A and the Statutory Guidance require local authorities to produce a range of notices, documents and information at various stages in the process of dealing with land contamination. The Council will comply with these requirements when taking any action under Part 2A, and will seek advice from the Council's legal team where appropriate.

The most common piece of documentation, which was introduced by the 2012 revision to the Statutory Guidance, will be the Risk Summary. This must be produced for any land which, on the basis of a risk assessment, the authority may be likely to determine. Risk Summaries are not required for land which will not be determined as contaminated land or land which has been prioritised for detailed inspection but which has not yet been subject to risk assessment. Notwithstanding this, the Council will seek to ensure that all decisions made on land contamination are accurately recorded and described.

The Statutory Guidance sets out what must be included in a Risk Summary, and makes it clear that the document must describe the risks identified, and set the risks in context, for example by describing the risk from land contamination relative to other risks that receptors might be expected to be exposed to in any case. It should include a discussion of the uncertainties involved and be understandable to the layperson.

Consultation with Landowners

The Council will consult the landowner before inspecting any land unless there is a particular reason why this is not possible. In accordance with the aims of this Strategy, the Council will seek to ensure that Risk Summaries and all other information is produced in a timely fashion, and bearing in mind the potential impacts of regulatory involvement including health impacts, property blight, and burdens on affected people. Specialist advice will be sought where necessary on the communication of risks and detailed technical information to the public.

Complaints and Notifications by Third Parties

The Council may also receive information about sites from interested parties other than the land owner, for example by complaints from neighbours etc. Complaints will be dealt with following the procedures adopted by the Council for dealing with public health nuisances. It is normal Council policy that anonymous complaints will not be investigated. However, in the case of contaminated land any information received will be recorded and evaluated by Environmental Health Services to determine the need for further investigation. Complaints may also take the form of anecdotal rather than factual information. In these cases the information will be recorded and evaluated. The information provider will not automatically be kept informed of action taken by the Council as a result of the receipt of this information.

Contaminated Land Register

The Contaminated Land Public Register will be held by Environmental Health Services. The information placed on the register will be maintained in accordance with the legislation and the Statutory Guidance. This includes information which may be excluded on the grounds of national security or commercial confidentiality.

Providing Information to Third Parties

The City Council receives enquiries from third parties requesting information about individual sites, or sites within a small radius (<500m) of a certain address. The Council will respond to any such written enquiries with the information available in Council files and databases, and in accordance with the Freedom of Information Act (2000) and the Environmental Information Regulations (2004). The Council will charge for time spent in responding to these enquiries. The charge will be reviewed annually by the Environmental Health and Licensing Manager.

If enquiries are received requesting copies of the Council's entire database of sites, or wanting information about large areas of the city, then these will be considered on a case by case basis by the Environmental Health and Licensing Manager.

Procedures

Some relevant procedural aspects of contaminated land work are discussed below. More detailed procedures will be maintained where appropriate by the Environmental Health and Licensing Manager.

Internal Management Arrangements for Inspection and Determination

Implementation of Part 2A is the responsibility of the Office of the Assistant Director (Environment). The Environmental Health and Licensing Manager will be the lead officer and the strategy will be implemented by the officers of this section. The Assistant Director (Environment) will have delegated powers to sign Remediation Notices, the Notices will be served by the Environmental Health and Licensing Manager, who may consult with the Legal team where appropriate. Members will be updated via the Community Scrutiny Committee. Where the Council is liable for remediation work a report will be presented to the Council's Executive prior to the commencement of any work.

Contaminated Land and Development Management

Officers from Environmental Health Services screen all applications that are received and validated by City Development. Where an application relates to a site where contamination is known or suspected, or is for a sensitive end use, officers will make appropriate comments to the Planning Officer. This could include requesting additional information prior to determination, drafting a suitable condition for any planning consent, or commenting on any submitted report(s). In accordance with the NPPF, officers will ensure that the Development Management process delivers sites that are suitable for their new use. However responsibility for securing a safe development rests with the developer and/or landowner.

There are similar inter-department links between Environmental Health Services and the Building Control Officers of City Development. Where Building Control Officers are made aware of land contamination the views of Environmental Health Services are sought and acted upon.

Dealing with Urgent Sites

During the work of Environmental Health Services, sites may come forward which require urgent remediation action, or where continued development may necessitate remedial action and it is not clear that the developer or land owner will achieve this.

In the case of Part 2A investigation, this will include sites where it appears that there is an imminent danger of serious harm or serious pollution of controlled waters being caused as a result of a significant pollutant linkage which has been identified. In these cases the Council will expedite action as far as is possible and in accordance with the legislation and the Statutory Guidance. It may undertake

remediation action itself, where consistent with the aims of this Strategy. Prior to undertaking any action, cases would be referred to the Assistant Director (Environment) and elected members if it is felt to be appropriate, or if authorisation is needed for any expenditure.

In the case of sites being remediated through development, planning enforcement procedures and notices will be used where necessary and as agreed with City Development to ensure that any planning conditions are complied with.

Notwithstanding the above, it will remain the Council's aim to encourage voluntary investigation and remediation of sites where possible.

Exeter City Council Interests in Land

When dealing with Council owned land it is important that there is close liaison between all the relevant officers for example in Environmental Health, Estates, Legal and Planning and that land contamination issues are considered early in any acquisition, disposal or development process.

As discussed above, initial risk assessment work has been undertaken for a number of sites in Council ownership. Following these studies additional work is being undertaken at Mincinglake Valley Park. Should remediation be required, this will be reported to the Assistant Director (Environment) and elected members as required before being progressed as a priority. If appropriate, an application for grant funding for the work will be sought from central government.

Prior to acquiring any new land, detailed investigations will be necessary to ensure that the Council is not inheriting a contamination liability. The Council will seek warranties where appropriate and following advice from Legal Services. When adopting public open space on development sites, the Council will use Section 106 Agreements and planning conditions to ensure that an appropriate level of site investigation and remediation has taken place prior to adoption.

The process of site investigation detailed above will enable the Council, as landowner, to make more informed decisions about its future land dealings and the steps it needs to take in either disposing of, or letting land in future. Individual negotiations that would take place on either disposal or letting would be a matter for the parties to discuss in each case and the outcome may be very different depending upon the particular circumstances.

Contaminated Land 2014-2019

This strategy will be reviewed in 2019, or following a significant change to legislation or guidance (whichever is the sooner). In the next five year period, the Council will:

- Seek further information on potential pollutant linkages, in order to refine the priority of sites for detailed inspection, until the point where it becomes clear that land is not contaminated.
- Undertake further detailed inspection at Mincinglake Valley Park.
- Review strategic and detailed inspection information in the light of changes to legislation or guidance, as deemed necessary.
- Upgrade its contaminated land database system.
- Undertake its contaminated land functions in accordance with legislation, guidance and this Strategy, having particular regard to the overall aims and objectives of the Strategy.

REPORT TO COMMUNITY SCRUTINY COMMITTEE

Date of Meeting: 9 September 2014

Report of: Cleansing and Fleet Manager

Title: Recycling Plan - interim review

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive

1. What is the report about?

- 1.1 At its meeting on 4 March 2014, this Committee considered the 2014 Review of the Recycling Plan. This new report provides the Committee with an update on progress towards the main actions that were identified in the Review.

2. Recommendations:

- 1) That Scrutiny Committee Community note the progress that the Council has made to date in implementing the Recycling Plan 2011-16;
- 2) That Scrutiny Committee Community support the ongoing actions planned for 2014 that are described in this report.

3. Reasons for the recommendation:

- 3.1 The actions described in this report are necessary to achieve our Recycling Plan targets, maximising the environmental benefits of recycling and increasing income to the Council from the sale of materials for recycling.

4. What are the resource implications including non financial resources.

- 4.1 The Council's net spending on waste collection in 2013/14 was £2.22 million. Reducing costs and increasing income from chargeable services and sale of materials for recycling are essential in order to achieve the required savings in 2014/15 and beyond.

5. Section 151 Officer comments:

No further comment to those contained in the report.

6. What are the legal aspects?

- 6.1 The Council's main duties and powers regarding household waste collection are contained in the Environmental Protection Act 1990. The requirement to offer kerbside recycling collections is contained in the Household Recycling Act 2003 and the Waste Framework Directive makes additional requirements concerning the sorting of recyclate materials for reprocessing.

7. Monitoring Officer's comments:

No further comment to those contained in the report.

8. Report details:

- 1.1. In the 2014 Recycling Plan Review, the Assistant Director (Environment) outlined a number of planned actions for 2014/15. These actions, and current progress, are listed in Table 1 below.
- 1.2. Two key vacancies have recently been filled and this will enable further progress on the actions listed below. A new Recycling Officer has been appointed whose role will focus on engaging with communities to promote recycling and waste minimisation; this officer will also build upon the strong links already forged with organisations such as the University and Students Guild. A third Waste Operations Supervisor has now started generating more capacity for all 3 supervisors to work in the field with refuse crews to help resolve issues of poor recycling amongst individual households or residential blocks, and other waste problems.
- 8.3 Trade waste – although the total number of commercial recycling customers is increasing slowly at the moment, the new mixed recycling and glass recycling schemes are gaining customers resulting in an upturn in the trade recycling rate for July, as well as being more profitable. 14% of trade waste is now recycled, compared to just under 10% at the beginning of 2014/15. This increase has been brought about by a concerted effort to promote the trade recycling service.
- 8.4 Exeter Energy from Waste (EfW) - since April, Exeter's non-recyclable waste has been delivered to Devon County Council's new EfW facility at Marsh Barton (through its commissioning phase). As well as producing energy in the form of electricity and/or heat output, this reduces our vehicle emissions and costs by avoiding the need for the Council to transport waste outside the city to the Greendale transfer station. Environmentally and financially, recycling remains preferable to incineration at the EfW; therefore the Council and Devon County Council are working together to remind residents to keep recycling. There is a risk that once the EfW is officially opened in October, residents might be tempted to put recyclable materials in their rubbish bin, 'because it all gets turned into energy'; falling for this temptation would be a retrograde step as there is far more financial and environmental value in recycling materials.

Table 1: Main actions for 2014/15 & beyond

ACTION	PROGRESS (August 2014)
Strive to at least maintain the recycling rate as the economic climate continues to affect purchasing choices and companies strive to reduce the weight of their packaging.	The quantity of material collected and recycled from the kerbside recycling and garden waste collections during April-June 2014 was 2,446 tonnes, compared to 2,403 tonnes for the same period in 2013. It is anticipated that our 36% recycling rate will be maintained this year.

Continue to address and reduce the clinical waste contamination in the MRF, to reduce stoppages and down-time.	Material sorting at the MRF has to be halted every time clinical waste is found in the sorting cabins. Average stoppage time per week has reduced from over 55 minutes in January to 42 minutes in June. However, the quantity of needles and sharps boxes placed in the recycling bins remains a cause for concern and stickers have been placed on communal recycling bins throughout the city to deter incorrect sharps disposal (Appendix 1).
Working more closely with our colleagues in DCC Waste to better encourage waste minimisation reducing the amount of waste being produced, and focus on reducing the larger fractions in landfill waste, especially food waste.	'Carry on recycling' campaign launched in August, reminding householders about the benefits of recycling, using 'conventional' media - some as newspaper ads, bus stop poster as well as social media campaigns (see Appendix 2).
Widen the brief of the Waste Operations Supervisors(WOS) to better assist crews in recycle contamination issues, and waste reduction projects.	A third WOS was appointed in July 2014.
Smarter marketing – a city wide mail out of the rubbish and recycling calendar will have an updated rubbish and recycling leaflet reminding residents of all items that can be recycle.	Achieved – this was included in the March 2014 calendar/leaflet.
Examining the use of new social media to target 'hard to get to groups' and encourage greater recycling, e.g. students.	<p>The initiative with Exeter University will extend our engagement with students via social media and text messaging.</p> <p>Waste Operations managers work closely with the Policy and Communications team to provide timely responses to waste-related tweets and Facebook posts.</p>
To reassure residents that material is sent to reputable processors, we will promote the 'End Destination Charter' on recycling.	Now incorporated into ECC recycling web site.
Ending the free Saturday bulk collections reducing the huge amount of waste to landfill and diverting the materials to other waste stream such as reuse or recycling.	Achieved – very little adverse reaction has been received by the Environment Support Team or service managers. The Street Scene Manager has confirmed there has been no increase in reported fly-tipping as a result of the cessation of this service.

<p>In order to retain resident confidence with the recycling system it is important to maintain service standards –reliability of collections, responding promptly to ‘our fault’ missed collections, providing new or replacement recycling receptacles promptly.</p>	<p>During Apr-Jun we missed 96 out of every 100,000 collections – just under 0.1%.</p> <p>As part of our ‘channel shift’ programme, 24% of missed collections are now being reported via the Council’s web site, which sends the information directly to the relevant crews and keeps the customer updated with progress.</p> <p>The next improvement will be an online facility for ordering new or replacement bins; this will reduce both waiting time and reduce administration costs.</p>
<p>Base education drives on sound information from surveys and collection data including using the information from the residual waste survey.</p>	<p>As an example, feedback from the Energy from Waste site operator indicates a small but significant percentage of waste electrical items occurs in the non-recycling waste stream. The new Recycling Officer will be tasked with encouraging residents to use the available recycling banks for this material.</p>
<p>By careful monitoring of bring-site yields, optimise site locations and raise local residents’ awareness in a targeted way where yields are below the expected norm.</p>	<p>The bottle bank at the M5 services has been removed due to low yield and negotiations to install a new site off Alphington Street at B&Q are underway.</p> <p>A more comprehensive review will be carried out before the end of the year by the new Recycling Officer.</p>
<p>Work closely with Housing Services to overcome barriers to recycling in a number of our blocks of flats, by reviewing collection and storage points, providing micro bottle-banks, and engaging with tenants to understand their particular issues.</p>	<p>New ‘mini bottle banks’ and front kerbside collections now working well in Whipton Barton. Two new bin stores being built at Higher Barley Mount to improve usage and reliability of collection from flats. Lessons learnt from these examples will be used where problems are present elsewhere in our housing stock.</p>

In collaboration with DCC Waste, work with the University and Guild to improve recycling with our student population.	<p>A joint initiative is planned between Exeter University, Exeter City Council and Devon County Council to carry out student-led research and greater engagement with local recycling facilities, especially bottle banks. Due to start in first term of the new academic year.</p> <p>Students on the Move was completed in July. A review of the scheme will be conducted before next July to see how the scheme can be enhanced and encourage greater re-use and recycling.</p>
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9. How does the decision contribute to the Council's Corporate Plan?

Keep My Environment Safe and Healthy – recycling helps to reduce the negative environmental impact of waste.

Run the Council Well – income from recycling credits, chargeable services and the sale of materials for recycling is over £1.5 million.

10. What risks are there and how can they be reduced?

The actions planned in this report help mitigate the risks of the Council failing to meet its recycling targets and income derived from such.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

There are no particular impacts on equality groups, health and wellbeing, safeguarding or community safety. Improved promotion of the recycling service, using targeted communications, will promote participation in recycling amongst the whole community.

Increasing recycling conserves natural resources and reduces the environmental impact of manufacturing new goods and packaging.

12. Are there any other options?

No other options were considered within the confines of our existing collection infrastructure and methodology.

Assistant Director Environment: Robert Norley

Local Government (Access to Information) Act 1972 (as amended)

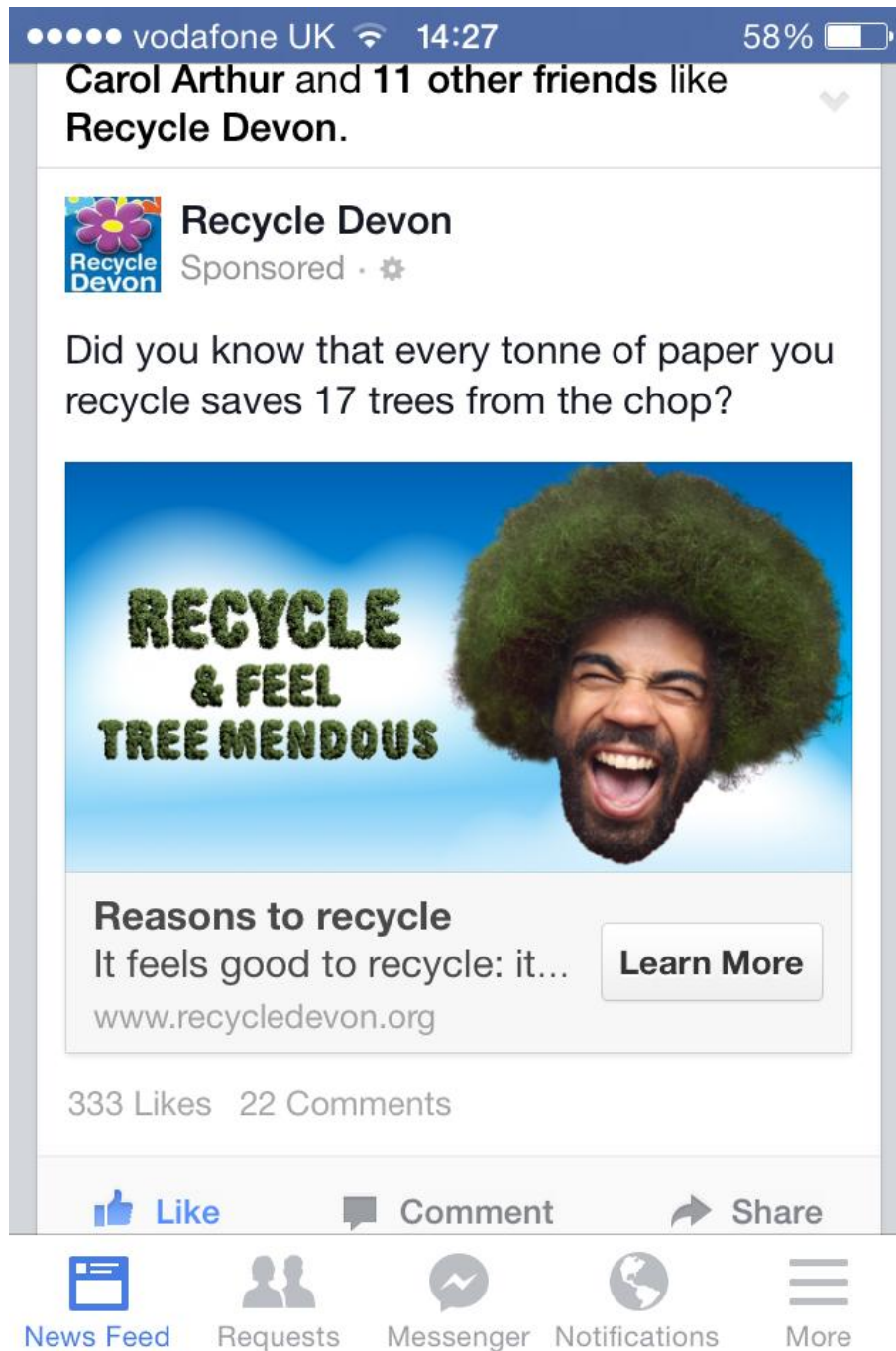
Background papers used in compiling this report:-
None

Contact for enquires:
Democratic Services (Committees)
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01392 265275

Appendix 1: example of sticker placed on communal recycling bins



Appendix 2: example of Facebook campaign to promote recycling



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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